Canada Border Services Agency | Agence des services frontaliers du Canada



OPERATIONAL BULLETIN: OBO-2020-032

TITLE: COVID-19 Response - Foreign Nationals arriving from the United States who make a claim for refugee protection at airports, marine ports and between ports of entry

Date of Issue: 2020-04-22	**Mode(s):** All	**Target Audience:** All officers administering and enforcing IRPA	**Area of Interest:** National

Details:

These instructions are specific to direct back authorities for foreign nationals arriving from the United States who make a claim for refugee protection at designated air and marine ports of entry and for those who enter Canada between ports of entry.

This Order in Council (colloquially referred to as OIC-11), entitled Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the United States), No.3, is made pursuant to section 58 of the Quarantine Act.

This Order in Council has effect for the period beginning on April 22, 2020 (00:01) and ending on May 21, 2020.

The Order repeals and replaces the Order in Council P.C. 2020-0185 entitled Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the United States) (referred to as OIC-9), which came into force on March 26, 2020.

Background

In order to enhance the authority of the Minister of Public Safety and Emergency Preparedness to respond to emergency situations that temporarily impact the border, a new provision for direct back under paragraph 41(d) of the IRPR has been enacted. This amendment enables an officer to direct back a foreign national prohibited pursuant to an emergency order or regulation made under the *Quarantine Act* or the *Emergencies Act*.

OIC 11 creates exceptions to the general prohibition on entering Canada for the purpose of making a claim for refugee protection. More specifically, the new OIC provides that a foreign national is prohibited from entering Canada for the purpose of making a claim for refugee protection unless the foreign national:



- seeks to enter Canada at a land and rail port of entry designated by the Minister of Public Safety and Emergency Preparedness under section 26 of the Immigration and Refugee Protection Regulations; and
    - is a person referred to in section 159.2, 159.5 or 159.6 of the Immigration and Refugee Protection Regulations; or
    - is a citizen of the United States;
- seeks to enter Canada other than at a land or rail port of entry and is a person who is a citizen of the United States, a stateless habitual resident of the United States or an unaccompanied, unmarried minor without a parent or legal guardian in the US; or
- is a person whose presence in Canada is determined by the Minister of Public Safety and Emergency Preparedness or the Minister of Citizenship and Immigration to be in the national or public interest, while recognizing the paramount public health interests of Canada and Canadians.
    - More specifically, the Ministers exempt the following persons from the application of the OIC:
    - Foreign Nationals who make a claim for refugee protection at an air or marine port of entry and cannot be immediately directed back to the U.S..
    - Foreign Nationals who may be subject to the death penalty in any country.
      Please refer to the notification process below for further case processing instructions.

Actions required by officers and Minister's Delegates (MDs) administering and enforcing the IRPA:

For all direct backs of foreign nationals making a claim for refugee protection at a designated POE (air or marine mode) or in-between the POEs, officers will be responsible to initiate and complete the following:

- Conduct queries in all applicable systems per existing procedures;
- Exam and Ref-Clm creation for quick intake in the Global Case Management System (GCMS);
- Collection of biometrics;
- BSF 505 – Direction to Return to USA and the officer will select "You are prohibited from entering Canada by an order or regulation made by the Governor in Council under the *Emergencies Act* or the *Quarantine Act*" on the form.
- Update the direct back screen in GCMS selecting the option "R41(d) –



Emerg/Quarant Act" ;
- Notice to Transporter (BSF 502), as applicable;
- Notification of the direct-back to the USCBP using established local procedures;
- Detailed notes in the examination tab of GCMS; notes must indicate the POE or irregular crossing of arrival. This will allow the officers responsible for the resumption of processing to understand what method of processing applies. Ports of Entry must maintain a list of all direct backs; the list should reflect the information in the Direct Back screen in GCMS and include the UCI, client's status in the U.S., name(s) and current contact information (telephone number and/or email address) for each claimant.

Exception: A direct back should not be issued to FNs who are symptomatic and who arrive from the U.S. via commercial or public conveyance (air or marine mode). Those individuals should be directed to isolate and/or referred to PHAC (depending on the severity of their symptoms and whether there are concerns about their ability to isolate themselves). This does not apply to FNs who arrive from the U.S. in a personal conveyance (i.e., would not pose a risk to other travellers) - they can be directed back to the U.S.

Foreign Nationals who are able to enter to make a refugee claim as per subsection 5(1) or 5(2) of the OIC, can enter even if they are symptomatic and will need to be referred to the PHAC Quarantine officers regardless of mode or location of entry.

Claims for refugee protection will be subject to the following intake process:

1. Determine if the foreign national is symptomatic or asymptomatic as per the following instructions:

    - COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)

2. Perform Secondary Examination

    - Determine if they meet an exemption to the OIC and are permitted to make a claim;
    - Conduct queries in all applicable systems per existing procedures;
    - Initiate Refugee Claim in GCMS;
    - Collect biometrics;
    - Conduct a Preliminary Risk Assessment in order to assess eligibility and once the eligibility assessment is made the following outcomes will occur:

Claim assessed - Low Risk Case:



i. The processing of FNs seeking entry from the U.S. who make a claim for refugee protection and are assessed to be 'low risk' and appear to meet an exemption or exception to the STCA.
ii. Once the acknowledgement of claim process is completed, the claimant is permitted entry for further examination to complete the refugee intake processing (BSF536).

Claim assessed - High Risk/Complex Case:

i. Completion by CBSA at the POE or other CBSA location once the acknowledgement of claim process is completed in consideration of appropriate conditions to ensure compliance;
ii. Arrest and/or detention (A55) considerations are to be made using the Temporary Measures to Guide Decisions to Detain and Consideration of Alternatives to Detention.

Note: POE's are responsible for the resumption of claim processing as per regional procedures/processing models. Should a claimant request processing at another CBSA location, it is the responsibility of the initial POE to coordinate the resumption of processing with the claimants preferred processing location.

Should a POE decide to complete the refugee intake process at the time of arrival, all protocols to ensure the health and safety of officers and claimants must followed.

For claims assessed to be ineligible, removal orders will come into force as follows:

i. **101(1)(e) STCA:** immediately [U.S. Removal - Air Mode R159.4(2)];

ii. **Other grounds of ineligibility - non-STCA:** seven (7) days;

iii. **101(1)(c.1):** seven (7) days with an expedited PRRA within 30 days by IRCC;

iv. **101(1)(d):** seven (7) days with an expedited risk assessment for *non-refoulement* within 30 days; and

v. **101(1)(f) cases:** suspend eligibility before referral to Refugee Protection Division to wait the outcome of an admissibility hearing or criminal court proceeding in Canada.

Note: Foreign Nationals determined ineligible under the STCA shall be ordered removed and returned to the U.S. immediately as per ss.48(2) of *IRPA*.

Post Claim Processing Procedures

Foreign Nationals who are permitted to make a claim for refugee protection in



Canada while the OIC is in effect are subject to the same requirements as all other travellers as described in OIC 10. Officers are required to follow the process as described at the following link:

COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)

Transfer to Receiving Organizations

Upon completion of port of entry processing, should an individual require transportation and/or accommodations the following departments should be contacted based on whether the individual(s) are asymptomatic or symptomatic.

Asymptomatic Travellers - Immigration, Refugees and Citizenship Canada

Geographic Area	Contact Name	Contact information (07:00 – 21:00)
Windsor & area	Jason Molloy	
Lacolle & area	Judith Joseph	
Lethbridge & area	Susan Sunde	
Winnipeg & area	Charlotte Theriault	
Surrey & area	Angela Lu	
Niagara Falls & area	Carla Wong	
All other areas or general inquiries	IRCC Asylum CMT	IRCC.AsylumCMT-EGCdAsile.IRCC@cic.gc.ca
After Hours Contact (21:00 – 07:00)	**Kathryn Jarrett-Ekholm**	

Symptomatic Travellers - Public Health Agency of Canada

PHAC Central Notification System
1-833-615-2384
phac.cns-snc.aspc@canada.ca

Notification Process

POEs are to notify CBSA Case Management of all foreign nationals who have made a claim for refugee protection including all those directed back or who qualify for an exception (STCA or under the *Quarantine Act* and the OIC). Case Management can be notified via email (case-management@cbsa-asfc.gc.ca) with the following subject line: "COVID-19 Response – asylum claimant UCI:11-XXXX-XXXX". The email should also indicate whether the claimants current contact information (telephone number, address and/or email address) is on file for each claimant.



The above is in addition to any established regional notification processes.

Person(s) charged or convicted of an offence that is punishable by the death penalty

POEs must notify the Border Operations Centre immediately and prior to any decision or action is taken on a foreign national who has been charged with or convicted of an offence that is punishable by the death penalty, in the US or another country. The burden of proof is on the claimant to prove that they would be subject to the death penalty.

Return date for the direct back

Under general circumstances, direct backs normally include a specific date and time for the foreign national to return to the POE for further processing. For the duration of COVID-19 response, officers are required to provide the *Asylum handout COVID19* to all foreign nationals seeking refugee protection who are directed back. Officers will instruct all refugee claimants directed back to refer to the *CBSA website* for up to date information on when they should return to Canada. It is important that refugee claimants directed back are clearly counselled that this does not mean that their refugee claim will not be heard but rather that it is only delayed until such time as the OIC is lifted. Once the OIC has been lifted, arrangements will be made for the resumption of the refugee claim examination.

For greater clarity, these regulatory amendments do not impact any of the currently available recourse mechanisms with respect to immigration enforcement. They also do not impact individuals already granted protected person status under subsection 95(2) of the IRPA and seeking to re-enter Canada.

U.S. Interceptions and/or Returns to Canada

All persons seeking to make a claim for asylum in the U.S. and intercepted seeking entry at a place other than a POE, or entering at a U.S. POE, will be returned to the closest CBSA port office. The CBSA port of entry must accept the return of the foreign national; a case-by-case assessment by an officer should be completed and all available officer options can be considered when accepting the return of the person from U.S. authorities.

Once the border measures between Canada and the U.S. are lifted, the individual is to be contacted by U.S. authorities and advised to return to the U.S for further processing.

Additional Information:

- Arrest and/or detention (A55) considerations are to be made using the



Temporary Measures to Guide Decisions to Detain and Consideration of Alternatives to Detention

- For further instructions on symptomatic or asymptomatic foreign nationals, please refer to the shift briefing Restricting the non-essential travel to Canada of U.S. citizens and other foreign nationals arriving from the United States by land, rail, ferry and maritime
- Contact information for Public Health Agency of Canada Quarantine Operations Centres can be found in Appendix B (Quarantine Operations Centres) of Enforcement Manual 4 (Port of Entry Examination).
- Additional guidance on liaising with the Public Health Agency of Canada is found in the People Processing Manual, Part 8, Chapter 5.2
- Additional guidance on POE processing can be found in ENF4 manual
- Additional guidance on writing A44(1) reports and Minister's Delegate review under A44(2) can be found in ENF5 and ENF6 manual, respectively.
- Operational Bulletin: PRG-2015-34 - Transportation of Non-detained Persons in Agency Vehicles while Administering CBSA Program Legislation

Regional Management:

Regional supervisors and managers will ensure that the above instructions are implemented immediately, and will be responsible for regional best practices and for conducting quality assurance.

Contact Information:

Any questions regarding this bulletin should be directed to the following email address:

Border Services Officers: If you have any questions, please forward them through the regional Corporate and Program Services Divisions, which (if required) will then send an email to the Traveller Operations Division's generic inbox: CBSA-ASFC_Ops_Travellers-Voyageurs

Approved by:

John Ommanney, Director General
Travellers Branch

Christian Lorenz, Director General
Intelligence and Enforcement Branch

Effective Date: Immediately	**Updated:** 2020-04-25

Additional bulletins:





Canada Border Services Agency | Agence des services frontaliers du Canada



OPERATIONAL BULLETIN: OBO-2020-033

TITLE: COVID-19 Response - Processing claims for refugee protection at a designated land or rail port of entry

Date of Issue: 2020-04-22	**Mode(s):** Land and Rail	**Target Audience:** All officers administering and enforcing IRPA	**Area of Interest:** National

Details:

These instructions are specific to foreign nationals who make a claim for refugee protection at a designated land or rail port of entry (POE). The Agreement between the Government of Canada and the Government of the United States of America for Cooperation in the Examination of Refugee Status Claims from Nationals of Third Countries [known as the Safe Third Country Agreement (STCA)] continues to apply at land and rail POEs for foreign nationals seeking entry to make claim for refugee protection in Canada. This is true whether the foreign national is asymptomatic or symptomatic for COVID-19.

Note: Foreign nationals who seek entry to Canada by land at a place other than an official port of entry, by air, or marine modes, generally remain prohibited. For further guidance and processing instructions for arrivals in these 3 modes please refer to Operational Bulletin: COVID-19 Response - Foreign Nationals arriving from the United States who make a claim for refugee protection at airports, marine ports and between ports of entry.

Background

This Order in Council (colloquially referred to as OIC-11), entitled Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the United States), No.3, is made pursuant to section 58 of the Quarantine Act.

This Order in Council has effect for the period beginning on April 22, 2020 (00:01) and ending on May 21, 2020.

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OIC 11 creates exceptions to the general prohibition on entering Canada for the



purpose of making a claim for refugee protection. More specifically, the new OIC provides that a foreign national is prohibited from entering Canada for the purpose of making a claim for refugee protection unless the foreign national:

- seeks to enter Canada at a land and rail port of entry designated by the Minister of Public Safety and Emergency Preparedness under section 26 of the Immigration and Refugee Protection Regulations; and
    - is a person referred to in section 159.2, 159.5 or 159.6 of the Immigration and Refugee Protection Regulations; or
    - is a citizen of the United States;
- seeks to enter Canada other than at a land or rail port of entry and is a person who is a citizen of the United States, a stateless habitual resident of the United States or an unaccompanied, unmarried minor without a parent or legal guardian in the US; or

o

- is a person whose presence in Canada is determined by the Minister of Public Safety and Emergency Preparedness or the Minister of Citizenship and Immigration to be in the national or public interest, while recognizing the paramount public health interests of Canada and Canadians. ***(Not currently applicable at Land and Rail Ports of Entry)***

Actions required by officers and Minister's Delegates (MDs) administering and enforcing the IRPA

Claims for refugee protection will be subject to the following intake process:

1. Determine if the foreign national is symptomatic or asymptomatic as per the following instructions:
    - COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)
2. Perform Secondary Examination
    - Determine if they meet an exemption to the OIC and are permitted to make a claim;
    - Conduct queries in all applicable systems per existing procedures;
    - Initiate Refugee Claim in GCMS;
    - Collect biometrics;
    - Conduct a Preliminary Risk Assessment in order to assess eligibility and once the eligibility assessment is made the following outcomes will



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Regional management

Regional supervisors and managers will ensure that the above instructions are implemented immediately, and will be responsible for regional best practices and for conducting quality assurance.

Resources:

For additional instructions on assessing asymptomatic and symptomatic travellers, and/or cases where no exemptions to the prohibition apply, please refer to OBO-2020-021 Regulatory Amendments to Implement Travel Prohibitions in Response to the COVID-19 Pandemic and/or shift briefing bulletin 2020-HQ-AC-03-25-B COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)

Contact Information:

Any questions regarding this bulletin should be directed to the following email address:

Border Services Officers: If you have any questions, please forward them through the regional Corporate and Program Services Divisions, which (if required) will then send an email to the Traveller Operations Division's generic inbox: ops_travellers-voyageurs@cbsa-asfc.gc.ca.

Approved by:

John Ommanney, Director General
Travellers Branch



Christian Lorenz, Director General **Intelligence and Enforcement Branch**	
Effective Date: Immediately	**Updated:** 2020-04-25

Additional bulletins:



Canada Border Services Agency
Agence des services frontaliers du Canada



Agence des services frontaliers du Canada

Plan opérationnel de retour temporaire

PROTECTION • SERVICE • INTEGRITY



Historique des révisions

Cette section permet de contrôler l'élaboration et la distribution des révisions apportées à l'analyse de rentabilisation jusqu'au point d'approbation. Le tableau ci-dessous comprend le numéro de révision, la date de publication ou de mise à jour, l'auteur responsable des changements et une brève description du contexte ou de la portée des changements dans cette révision.

Révision Numéro	**Date de publication**	**Auteur(s)**	**Brève description des changements**
V1	16 juillet 2018	J.Daigle et G. Modler	Première ébauche
V2	20 mars 2020	B. Carey	Modifications pour tenir compte des changements réglementaires apportés à la suite de la pandémie de la COVID-19
V3			
V4			
V5			
V6			
V7			
V8			
V9			
V10			



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Renseignements généraux

Le 21 mars 2020, en réponse directe à la pandémie actuelle de la COVID-19, le « *Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance des États-Unis)* » a été publié en vertu de la *Loi sur la mise en quarantaine*. Des modifications réglementaires au *Règlement sur l'immigration et la protection des réfugiés (RIPR)* ont également été apportées afin de donner au ministre de la Sécurité publique et de la Protection civile et à l'ASFC les pouvoirs nécessaires pour mettre en œuvre des interdictions d'entrée en vertu de la *Loi sur les mesures d'urgence* et de la *Loi sur la mise en quarantaine*; tout en assurant l'intégrité continue des frontières du Canada dans l'intérêt économique du pays, ainsi que la santé et la sécurité des Canadiens.

En particulier, l'article 41 du RIPR a été modifié pour inclure l'alinéa d) qui autorise un agent à renvoyer un étranger aux États-Unis (É.-U.) s'il lui est interdit d'entrer au Canada en vertu d'un décret ou d'un règlement pris en vertu de la *Loi sur les mesures d'urgence* ou de la *Loi sur la mise en quarantaine*. Le retour temporaire émis par l'agent est valide pour la durée de la période décrite dans l'ordre ou le règlement d'urgence. L'Agence des services frontaliers du Canada (ASFC) a élaboré le plan opérationnel suivant pour diriger les personnes vers les États-Unis.

La Loi et le Règlement

Contrôle

A18(1) Sous réserve des règlements, quiconque cherche à entrer au Canada est tenu de se soumettre au contrôle visant à déterminer s'il a le droit d'y entrer ou s'il est autorisé, ou peut l'être, à y entrer et à y séjourner.

Obligation – Point d'entrée le plus proche

R27 (2) Sauf disposition contraire du présent règlement, si la personne cherche à entrer au Canada à un point autre qu'un point d'entrée, elle doit se présenter au point d'entrée le plus proche.

Retour temporaire

R41 : Sauf en cas d'autorisation en vertu de l'article 23 de la Loi, l'agent qui effectue le contrôle de l'étranger qui cherche à entrer au Canada en provenance des États-Unis lui ordonne de retourner temporairement vers les États-Unis dans les cas suivants :

a) aucun agent n'est en mesure de terminer le contrôle de la personne;
b) le ministre n'est pas disponible pour examiner le rapport visant cette personne aux termes du paragraphe 44 (2) de la Loi;
c) une enquête ne peut être tenue par la Section de l'immigration;



d) il lui est interdit d'entrer au Canada en vertu d'un décret ou d'un règlement pris par le gouverneur général en conseil en vertu de la *Loi sur les mesures d'urgence* ou de la *Loi sur la mise en quarantaine*.

Hypothèses

- Les demandeurs d'asile renvoyés aux États-Unis ne sont pas visés par l'une des exceptions énumérées ci-dessous.

- Confirmation que les autorités américaines sont prêtes à accepter les retours selon l'article 41 à leur point d'entrée et à leur permettre de passer temporairement aux États-Unis.

Exceptions

Les personnes suivantes ne doivent pas être renvoyées aux États-Unis :

a) les ressortissants américains ou les résidents habituels des États-Unis qui présentent une plainte contre les États-Unis;
b) les mineurs non accompagnés qui présentent une plainte contre les États-Unis;
c) les parents (ou tuteurs légaux) d'un citoyen mineur des États-Unis qui présentent une plainte contre les États-Unis.

Risques

Malgré ces risques, la propagation du virus causant la COVID-19 présenterait un risque imminent et grave pour la santé publique au Canada. L'entrée au Canada de personnes pour les voyages non essentiels qui ont récemment séjourné dans un pays étranger peut contribuer à la propagation de la maladie au Canada, et il n'existe aucune solution de rechange raisonnable pour prévenir l'introduction ou la propagation de la maladie.



Instruction sur le terrain

Les bulletins opérationnels suivants fournissent des conseils supplémentaires aux agents :

a) *Intervention en lien avec la COVID-19 – Retours temporaires aux États-Unis pour les ressortissants étrangers qui présentent une demande d'asile;*

b) *Modifications réglementaires pour mettre en œuvre des interdictions de voyager en réponse à la pandémie de COVID-19.*

Affaires transitoires

Le décret entre en vigueur à 0 h 1, heure avancée de l'Est, le 21 mars 2020, à l'exception de toute personne qui arrive au moyen d'un aéronef, si l'arrivée prévue au Canada selon le plan de vol est prévue avant 11 h 59, heure avancée de l'Est, le 21 mars 2020.

Le décret ne s'applique pas aux affaires qui sont en cours ou en instance devant un agent immédiatement avant l'entrée en vigueur du décret.

Déroulement du processus

PROCESSUS 1 –Demandeur d'asile irrégulier

a) La personne entre au Canada entre les points d'entrée et cherche à faire une demande d'asile.

b) La personne est interceptée par la GRC, mise en état d'arrestation par cette agence et les vérifications de sécurité sont effectuées de la même façon qu'aujourd'hui.

c) La personne est transportée par la GRC au point d'entrée le plus proche.

d) La personne est examinée par le personnel de l'ASFC et le traitement initial rapide est terminé, y compris la collecte de données biométriques.

e) La personne est informée qu'en vertu d'un décret selon la *Loi sur la mise en quarantaine*, son entrée au Canada est interdite et qu'elle est temporairement renvoyée aux États-Unis.

f) La personne est informée qu'il lui est interdit de revenir au Canada jusqu'à ce que le décret pris en vertu de la *Loi sur la mise en quarantaine* expire ou soit abrogé.

g) L'ASFC avisera les États-Unis (CPB/ICE) de la décision de retour temporaire prise en vertu de l'article 41 du Règlement.

h) La personne est renvoyée au point d'entrée des États-Unis par l'ASFC ou par une entreprise de transport privée.



i) La personne peut revenir et présenter une demande d'asile en tout temps après l'expiration ou l'abrogation du décret pris en vertu de la *Loi sur la mise en quarantaine*.

j) Si la personne revient avant l'expiration ou l'abrogation du décret, on peut déclarer qu'elle soit interdite pour non-conformité et une mesure d'exclusion peut être prise.

PROCESSUS 2 –Demandeur d'asile régulier

a) La personne présente une demande d'asile à un point d'entrée.

b) La personne est examinée par le personnel de l'ASFC et le traitement initial rapide est terminé, y compris la collecte de données biométriques.

c) La personne est informée qu'en vertu d'un décret selon la *Loi sur la mise en quarantaine*, son entrée au Canada est interdite et qu'elle est temporairement renvoyée aux États-Unis.

d) La personne est informée qu'il lui est interdit de revenir au Canada jusqu'à ce que le décret pris en vertu de la *Loi sur la mise en quarantaine* expire ou soit abrogé.

e) L'ASFC avisera les États-Unis (CPB/ICE) de la décision de retour temporaire prise en vertu de l'article 41 du Règlement.

f) La personne est renvoyée au point d'entrée des États-Unis par l'ASFC ou par une entreprise de transport privée.

g) La personne peut revenir et présenter une demande d'asile en tout temps après l'expiration ou l'abrogation du décret pris en vertu de la *Loi sur la mise en quarantaine*.

h) Si la personne revient avant l'expiration ou l'abrogation du décret, on peut déclarer qu'elle soit interdite pour non-conformité et une mesure d'exclusion peut être prise.

PROCESSUS 3 – Étranger cherchant à entrer sur le territoire

a) La personne cherche à entrer au Canada à un point d'entrée.

b) La personne est examinée par le personnel de l'ASFC et le traitement initial rapide est terminé, y compris la collecte de données biométriques.

c) La personne est informée qu'en vertu d'un décret selon la *Loi sur la mise en quarantaine*, son entrée au Canada est interdite et qu'elle est temporairement renvoyée aux États-Unis.

d) La personne est informée qu'il lui est interdit de revenir au Canada jusqu'à ce que le décret pris en vertu de la *Loi sur la mise en quarantaine* expire ou soit abrogé.





e) L'ASFC avisera les États-Unis (CPB/ICE) de la décision de retour temporaire prise en vertu de l'article 41 du Règlement.

f) La personne est renvoyée au point d'entrée des États-Unis par l'ASFC ou par une entreprise de transport privée.

g) La personne peut revenir au Canada en tout temps après l'expiration ou l'abrogation du décret pris en vertu de la *Loi sur la mise en quarantaine*.

h) Si la personne revient avant l'expiration ou l'abrogation du décret, on peut déclarer qu'elle soit interdite pour non-conformité et une mesure d'exclusion peut être prise.

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Canada Border Services Agency

Direct Back Operational Plan

PROTECTION SERVICE INTEGRITY INTÉGRITÉ

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Revision History

This section provides control for the development and distribution of revisions to the Business Case up to the point of approval. The table below includes the revision number, date of issue or update, the author responsible for the changes and a brief description of the context and/or scope of the changes in that revision.

Revision Number	**Date of Issue**	**Author(s)**	**Brief Description of Change**
V1	July 16, 2018	J.Daigle & G. Modler	Initial Draft
V2	March 20, 2020	B. Carey	Changes to reflect regulatory changes made in light of COVID-19 pandemic
V3			
V4			
V5			
V6			
V7			
V8			
V9			
V10			





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Background

On March 21, 2020, in direct response to the ongoing COVID-19 pandemic, the Order-in-Council "*Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the United States)*" was issued under the *Quarantine Act*. Regulatory amendments to the *Immigration and Refugee Protection Regulations* (IRPR) have also been made in order to provide the Minister of Public Safety and Emergency Preparedness and the CBSA with the necessary authorities to implement prohibitions on entry under the *Emergencies Act* and the *Quarantine Act*, while also ensuring the ongoing integrity of Canada's borders in the economic interests of Canada, and the health and safety of Canadians.

In particular, section 41 of the IRPR has been amended to include paragraph (d), authorizing an officer to direct a foreign national back to the United States (U.S.) if they are prohibited from entering Canada by an order or regulation under the *Emergencies Act* or the *Quarantine Act*. The direct back issued by the officer is valid for the duration of the period outlined in the emergency order or regulation. The Canada Border Services Agency (CBSA) has developed the following operational plan for directing individuals back to the U.S.

The Act and Regulations

Examination by officer

A18(1) Subject to the regulations, every person seeking to enter Canada must appear for an examination to determine whether that person has a right to enter Canada or is or may become authorized to enter and remain in Canada.

Obligation on entry - Seeking entry at a place other than a port of entry

R27(2) Unless these Regulations provide otherwise, a person who seeks to enter Canada at a place other than a port of entry must appear without delay for examination at the port of entry that is nearest to that place.

Direct back

R41: Unless an authorization has been given under section 23 of the Act, an officer who examines a foreign national who is seeking to enter Canada from the United States shall direct them to return temporarily to the United States if:

a) no officer is able to complete an examination;
b) the Minister is not available to consider, under subsection 44(2) of the Act, a report prepared with respect to the person;
c) an admissibility hearing cannot be held by the Immigration Division; or
d) the foreign national is prohibited from entering Canada by an order or regulation made by the Governor General in Council under the *Emergencies Act* or the *Quarantine Act*.



Assumptions

- Asylum seekers being returned to the U.S. do not fall under one of the exceptions listed below.
- Assurance to be received from U.S. officials that they are prepared to accept R41 returns through their port of entry, and allow them to stage temporarily in the U.S

Exceptions

The following persons should not be directed back to the U.S. :

a) U.S. nationals or habitual residents of the U.S. making a claim against the U.S.;
b) Unaccompanied minors making a claim against the U.S.; and
c) Parents (or legal guardians) of a U.S. minor citizen making a claim against the U.S.

Risks

Notwithstanding these risks, spread of the COVID-19 virus would pose an imminent and severe risk to public health in Canada. The entry of persons into Canada for non-essential travel who have recently been in a foreign country may spread of the disease in Canada and no reasonable alternatives to prevent the introduction or spread of the disease are available.

Instruction to the Field

The following Operational Bulletins provide further guidance to officers:

a) *COVID-19 Response - Direct Backs to the USA for Foreign Nationals who make a claim for refugee protection*; and



b) *Regulatory Amendments to Implement Travel Prohibitions in Response to the COVID-19 Pandemic.*

Transitional Cases

The Order-in-Council comes into force at 12:01am Eastern Daylight Time on March 21, 2020, with the exception of any person who arrives by means of an aircraft, if the scheduled arrival in Canada according to the flight plan is before 11:59am Eastern Daylight Time on March 21, 2020.

The order does not apply to any case that is pending or in progress before an officer immediately prior to the coming into force of the order.

Process Flow

PROCESS 1 – Irregular asylum claimant

a) The individual enters Canada between ports of entry and seeks to make an application for refugee protection;

b) The individual is intercepted by the RCMP, placed under arrest by that Agency and security checks are undertaken in the same manner as occurs today;

c) The individual is transported by the RCMP to the closest port of entry;

d) The individual is examined by CBSA personnel and cursory initial processing is completed, including the collection of biometrics;

e) The individual is informed that based on an order under the *Quarantine Act*, their entry into Canada is prohibited and they are being directed back temporarily to the U.S.;

f) The individual is informed that they are prohibited from returning to Canada until the order under the *Quarantine Act* expires or is repealed;

g) The CBSA will notify the U.S. (CPB/ICE) of the direct back decision made under section 41 of the Regulations;

h) The individual is returned to the U.S. port of entry by the CBSA or through a private transportation company;

i) The individual may return and make an application for refugee protection any time after the order under the *Quarantine Act* expires or is repealed;



j) If the individual returns before the order expires or is repealed, they may be found inadmissible for non-compliance and an exclusion order may be issued.

PROCESS 2 – Regular asylum claimant

a) The individual makes an application for refugee protection at a port of entry;

b) The individual is examined by CBSA personnel and cursory initial processing is completed, including the collection of biometrics;

c) The individual is informed that based on an order under the *Quarantine Act*, their entry into Canada is prohibited and they are being directed back temporarily to the U.S.;

d) The individual is informed that they are prohibited from returning to Canada until the order under the *Quarantine Act* expires or is repealed;

e) The CBSA will notify the U.S. (CPB/ICE) of the direct back decision made under section 41 of the Regulations;

f) The individual is returned to the U.S. port of entry by the CBSA or through a private transportation company;

g) The individual may return and make an application for refugee protection any time after the order under the *Quarantine Act* expires or is repealed;

h) If the individual returns before the order expires or is repealed, they may be found inadmissible for non-compliance and an exclusion order may be issued.

PROCESS 3 – Foreign national seeking entry

a) The individual seeks to enter Canada at a port of entry;

b) The individual is examined by CBSA personnel and cursory initial processing is completed, including the collection of biometrics;

c) The individual is informed that based on an order under the *Quarantine Act*, their entry into Canada is prohibited and they are being directed back temporarily to the U.S.;

d) The individual is informed that they are prohibited from returning to Canada until the order under the *Quarantine Act* expires or is repealed;

e) The CBSA will notify the U.S. (CPB/ICE) of the direct back decision made under section 41 of the Regulations;



f) The individual is returned to the U.S. port of entry by the CBSA or through a private transportation company;

g) The individual may return and seek entry to Canada any time after the order under the *Quarantine Act* expires or is repealed;

h) If the individual returns before the order expires or is repealed, they may be found inadmissible for non-compliance and an exclusion order may be issued.



P.C. 2020-263
April 20, 2020

Whereas the Governor in Council is of the opinion that

(a) based on the declaration of a pandemic by the World Health Organization, there is an outbreak of a communicable disease, namely coronavirus disease 2019 (COVID-19), in the majority of foreign countries;

(b) the introduction or spread of the disease would pose an imminent and severe risk to public health in Canada;

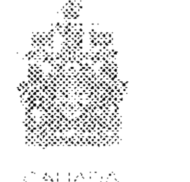
(c) the entry of persons into Canada who have recently been in a foreign country may introduce or contribute to the spread of the disease in Canada; and

(d) no reasonable alternatives to prevent the introduction or spread of the disease are available;

Therefore, Her Excellency the Governor General in Council, on the recommendation of the Minister of Health, pursuant to section 58 of the *Quarantine Act*, makes the annexed *Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the United States)*.

CERTIFIED TO BE A TRUE COPY-COPIE CERTIFIÉE CONFORME

CLERK OF THE PRIVY COUNCIL · GREFFIER DU CONSEIL PRIVÉ



CANADA
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C.P. 2020-263
20 avril 2020

Attendu que la gouverneure en conseil est d'avis :

a) que, compte tenu de la déclaration de pandémie de l'Organisation mondiale de la santé, la majorité des pays étrangers est aux prises avec l'apparition d'une maladie transmissible, soit la maladie à coronavirus 2019 (COVID-19);

b) que l'introduction ou la propagation de cette maladie présenterait un danger grave et imminent pour la santé publique au Canada;

c) que l'entrée au Canada de personnes qui ont récemment séjourné dans un pays étranger favoriserait l'introduction ou la propagation de la maladie au Canada;

d) qu'il n'existe aucune autre solution raisonnable permettant de prévenir l'introduction ou la propagation de la maladie au Canada,

À ces causes, sur recommandation de la ministre de la Santé et en vertu de l'article 58 de la *Loi sur la mise en quarantaine*, Son Excellence la Gouverneure générale en conseil prend le *Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance des États-Unis)*, ci-après.

CERTIFIED TO BE A TRUE COPY-COPIE CERTIFIÉE CONFORME

CLERK OF THE PRIVY COUNCIL-GREFFIER DU CONSEIL PRIVÉ

Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the United States)

Definition of *foreign national*

1 In this Order, ***foreign national*** has the same meaning as in subsection 2(1) of the *Immigration and Refugee Protection Act*.

Prohibition — signs and symptoms

2 (1) A foreign national is prohibited from entering Canada from the United States if they have COVID-19 or have signs and symptoms of COVID-19 or have reasonable grounds to suspect they have such signs and symptoms, including:

(a) a fever and cough; or

(b) a fever and breathing difficulties.

Non-application — certain persons

(2) Subsection (1) does not apply to persons referred to in subsections 5(1) or (2) who seek to enter Canada from the United States for the purpose of making a claim for refugee protection.

Prohibition — optional or discretionary purpose

3 A foreign national is prohibited from entering Canada from the United States if they seek to enter for an optional or discretionary purpose, such as tourism, recreation or entertainment.

Prohibition — unable to meet quarantine requirement

4 (1) A foreign national is prohibited from entering Canada from the United States if, based on the purpose of entry and the length of their stay, the requirement to quarantine under the *Minimizing the Risk of Exposure to COVID-19 in Canada Order (Mandatory Isolation), No. 2* cannot be complied with.

Non-application — certain persons

(2) Subsection (1) does not apply to persons referred to in subsections 5(1) or (2) who seek to enter Canada from the United States for the purpose of making a claim for refugee protection.

Prohibition — claim for refugee protection

5 (1) A foreign national is prohibited from entering Canada from the United States for the purpose of making a claim for refugee protection unless the person

(a) seeks to enter Canada at a land port of entry designated by the Minister of Public Safety and Emergency Preparedness under section 26 of the *Immigration and Refugee Protection Regulations* and

(i) is a person referred to in section 159.2, 159.5 or 159.6 of the *Immigration and Refugee Protection Regulations*; or

(ii) is a citizen of the United States; or

(b) is a person whose presence in Canada is determined by the Minister of Public Safety and Emergency Preparedness or the Minister of Citizenship and Immigration to be in the national or public interest, while recognizing the paramount public health interests of Canada and Canadians.

Non-application — certain persons

(2) Subsection (1) does not apply to the following persons who seek to enter Canada at any place referred to in paragraphs 159.4(1)(a), (b) or (c) of the *Immigration and Refugee Protection Regulations*:

(a) a citizen of the United States;

(b) a stateless habitual resident of the United States; or

(c) a person who

(i) has not attained the age of 18 years and is not accompanied by their mother, father or legal guardian within the meaning of the *Immigration and Refugee Protection Regulations*,

(ii) has neither a spouse nor a common-law partner within the meaning of those Regulations, and

(iii) has neither a mother or father nor a legal guardian within the meaning of those Regulations in the United States.

Non-application — order

6 This Order does not apply to

(a) a person registered as an Indian under the *Indian Act*;

(b) a person who, as determined by the Chief Public Health Officer appointed under subsection 6(1) of the *Public Health Agency of Canada Act*, does not pose a risk of significant harm to public health; or

(c) a protected person within the meaning of subsection 95(2) of the *Immigration and Refugee Protection Act*.

Powers and obligations

7 For greater certainty, this Order does not affect any of the powers and obligations set out in the *Quarantine Act*.

Repeal of P.C. 2020-185

8 The *Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the United States)*[1] is repealed.

Effective period

9 This Order has effect for the period beginning on April 22, 2020 and ending on May 21, 2020.

[1] P.C. 2020-185, March 26, 2020

Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance des États-Unis)

Définition de *étranger*

1 Dans le présent décret, ***étranger*** s'entend au sens du paragraphe 2(1) de la *Loi sur l'immigration et la protection des réfugiés.*

Interdiction — signes et symptômes

2 (1) Il est interdit à tout étranger d'entrer au Canada en provenance des États-Unis s'il est atteint de la COVID-19 ou s'il présente des signes et des symptômes de la COVID-19 ou s'il a des motifs raisonnables de soupçonner qu'il présente de tels signes et symptômes, dont notamment les suivants :

a) soit une fièvre et de la toux;

b) soit une fièvre et des difficultés respiratoires.

Non-application — certaines personnes

(2) Le paragraphe (1) ne s'applique pas aux personnes visées aux paragraphes 5(1) ou (2) qui cherchent à entrer au Canada en provenance des États-Unis afin de faire une demande d'asile.

Interdiction — fins optionnelles ou discrétionnaires

3 Il est interdit à tout étranger d'entrer au Canada en provenance des États-Unis s'il cherche à le faire à des fins de nature optionnelle ou discrétionnaire telles que le tourisme, les loisirs ou le divertissement.

Interdiction — fins d'une nature qui empêche la mise en quarantaine

4 (1) Il est interdit à tout étranger d'entrer au Canada en provenance des États-Unis si l'obligation de se mettre en quarantaine conformément au *Décret nº 2 visant la réduction du risque d'exposition à la COVID-19 au Canada (obligation de s'isoler)* ne peut être satisfaite compte tenu des fins pour lesquelles il cherche à y entrer ou de la durée prévue de son séjour.

Non-application — certaines personnes

(2) Le paragraphe (1) ne s'applique pas aux personnes visées aux paragraphes 5(1) ou (2) qui cherchent à entrer au Canada en provenance des États-Unis afin de faire une demande d'asile.

Interdiction — demande d'asile

5 (1) Il est interdit à l'étranger d'entrer au Canada en provenance des États-Unis afin de faire une demande d'asile, sauf si, selon le cas :

a) il cherche à entrer au Canada à un point d'entrée par route désigné par le ministre de la Sécurité publique et de la Protection civile en vertu de l'article 26 du *Règlement sur l'immigration et la protection des réfugiés* et est :

(i) soit un demandeur visé aux articles 159.2, 159.5 ou 159.6 du *Règlement sur l'immigration et la protection des réfugiés*,

(ii) soit un citoyen des États-Unis;

b) il est une personne dont la présence au Canada est, tel qu'il est établi par le ministre de la Sécurité publique et de la Protection civile ou le ministre de la Citoyenneté et de l'Immigration, dans l'intérêt national ou public, compte tenu des intérêts primordiaux du Canada et des Canadiens en matière de santé publique.

Non-application — certaines personnes

(2) Le paragraphe (1) ne s'applique pas aux personnes ci-après qui cherchent à entrer au Canada à l'un des endroits visés aux alinéas 159.4(1)a), b) ou c) du *Règlement sur l'immigration et la protection des réfugiés* :

a) le citoyen des États-Unis;

b) l'apatride qui a sa résidence habituelle aux États-Unis;

c) la personne qui satisfait aux exigences suivantes :

(i) elle a moins de dix-huit ans et n'est pas accompagnée par son père, sa mère ou son tuteur légal au sens du *Règlement sur l'immigration et la protection des réfugiés*,

(ii) elle n'a ni époux ni conjoint de fait au sens de ce règlement,

(iii) elle n'a aux États-Unis ni père, ni mère, ni tuteur légal au sens de ce règlement.

Non-application — décret

6 Le présent décret ne s'applique pas :

a) à la personne qui est inscrite au registre des Indiens en vertu de la *Loi sur les Indiens*;

b) à la personne qui, tel qu'il est établi par l'administrateur en chef nommé en application du paragraphe 6(1) de la *Loi sur l'Agence de la santé publique du Canada*, ne présente pas de danger grave pour la santé publique;

c) à la personne protégée au sens du paragraphe 95(2) de la *Loi sur l'immigration et la protection des réfugiés*.

Pouvoirs et obligations

7 Il est entendu que le présent décret ne porte pas atteinte aux pouvoirs et aux obligations prévus par la *Loi sur la mise en quarantaine*.

Abrogation du C.P. 2020-185

8 Le *Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance des États-Unis)*[1] est abrogé.

Durée

9 Le présent décret s'applique pendant la période commençant le 22 avril 2020 et se terminant le 21 mai 2020.

[1] C.P. 2020-185 du 26 mars 2020

Canada Border Services Agency | Agence des services frontaliers du Canada



OPERATIONAL BULLETIN: OBO-2020-032

TITLE: COVID-19 Response - Foreign Nationals arriving from the United States who make a claim for refugee protection at airports, marine ports and between ports of entry

Date of Issue: 2020-04-22	**Mode(s):** All	**Target Audience:** All officers administering and enforcing IRPA	**Area of Interest:** National

Details:

These instructions are specific to direct back authorities for foreign nationals arriving from the United States who make a claim for refugee protection at designated air and marine ports of entry and for those who enter Canada between ports of entry.

The new Order in Council (colloquially referred to as OIC-12), entitled Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the United States), has been made pursuant to section 58 of the Quarantine Act.

This Order in Council has effect for the period beginning on May 22, 2020 (00:01) and ending on June 21, 2020.

The Order repeals and replaces the Order in Council P.C. 2020-263 (OIC11).

This new Order in Council (OIC12) replicates the same provisions listed in OIC11 in regards to who can make a claim for refugee protection.

Background

In order to enhance the authority of the Minister of Public Safety and Emergency Preparedness to respond to emergency situations that temporarily impact the border, a new provision for direct back under paragraph 41(d) of the IRPR has been enacted. This amendment enables an officer to direct back a foreign national prohibited pursuant to an emergency order or regulation made under the *Quarantine Act* or the *Emergencies Act*.

OIC 12 creates exceptions to the general prohibition on entering Canada for the purpose of making a claim for refugee protection. More specifically, the new OIC provides that a foreign national is prohibited from entering Canada for the purpose of making a claim for refugee protection unless the foreign national:



- seeks to enter Canada at a land and rail port of entry designated by the Minister of Public Safety and Emergency Preparedness under section 26 of the Immigration and Refugee Protection Regulations; and
    - is a person referred to in section 159.2, 159.5 or 159.6 of the Immigration and Refugee Protection Regulations; or
    - is a citizen of the United States;
- seeks to enter Canada other than at a land or rail port of entry and is a person who is a citizen of the United States, a stateless habitual resident of the United States or an unaccompanied, unmarried minor without a parent or legal guardian in the US; or
- is a person whose presence in Canada is determined by the Minister of Public Safety and Emergency Preparedness or the Minister of Citizenship and Immigration to be in the national or public interest, while recognizing the paramount public health interests of Canada and Canadians.
    - More specifically, the Ministers exempt the following persons from the application of the OIC:
    - Foreign Nationals who make a claim for refugee protection at an air or marine port of entry and cannot be immediately directed back to the U.S..
    - Foreign Nationals who may be subject to the death penalty in any country.
      Please refer to the notification process below for further case processing instructions.

Actions required by officers and Minister's Delegates (MDs) administering and enforcing the IRPA:

For all direct backs of foreign nationals making a claim for refugee protection at a designated POE (air or marine mode) or in-between the POEs, officers will be responsible to initiate and complete the following:

- Conduct queries in all applicable systems per existing procedures;
- Exam and Ref-Clm creation for quick intake in the Global Case Management System (GCMS);
- Collection of biometrics;
- BSF 505 – Direction to Return to USA and the officer will select "You are prohibited from entering Canada by an order or regulation made by the Governor in Council under the *Emergencies Act* or the *Quarantine Act*" on the form.



- Update the direct back screen in GCMS selecting the option "R41(d) – Emerg/Quarant Act" ;
- Notice to Transporter (BSF 502), as applicable;
- Notification of the direct-back to the USCBP using established local procedures;
- Detailed notes in the examination tab of GCMS; notes must indicate the POE or irregular crossing of arrival. This will allow the officers responsible for the resumption of processing to understand what method of processing applies. Ports of Entry must maintain a list of all direct backs; the list should reflect the information in the Direct Back screen in GCMS and include the UCI, client's status in the U.S., name(s) and current contact information (telephone number and/or email address) for each claimant.

Exception: A direct back should not be issued to FNs who are symptomatic and who arrive from the U.S. via commercial or public conveyance (air or marine mode). Those individuals should be directed to isolate and/or referred to PHAC (depending on the severity of their symptoms and whether there are concerns about their ability to isolate themselves). This does not apply to FNs who arrive from the U.S. in a personal conveyance (i.e., would not pose a risk to other travellers) - they can be directed back to the U.S.

Foreign Nationals who are able to enter to make a refugee claim as per subsection 5(1) or 5(2) of the OIC, can enter even if they are symptomatic and will need to be referred to the PHAC Quarantine officers regardless of mode or location of entry.

Claims for refugee protection will be subject to the following intake process:

1. Determine if the foreign national is symptomatic or asymptomatic as per the following instructions:

    - COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)

2. Perform Secondary Examination

    - Determine if they meet an exemption to the OIC and are permitted to make a claim;
    - Conduct queries in all applicable systems per existing procedures;
    - Initiate Refugee Claim in GCMS;
    - Collect biometrics;
    - Conduct a Preliminary Risk Assessment in order to assess eligibility and once the eligibility assessment is made the following outcomes will occur:



Claim assessed - Low Risk Case:

i. The processing of FNs seeking entry from the U.S. who make a claim for refugee protection and are assessed to be 'low risk' and appear to meet an exemption or exception to the STCA.
ii. Once the acknowledgement of claim process is completed, the claimant is permitted entry for further examination to complete the refugee intake processing (BSF536).

Claim assessed - High Risk/Complex Case:

i. Completion by CBSA at the POE or other CBSA location once the acknowledgement of claim process is completed in consideration of appropriate conditions to ensure compliance;
ii. Arrest and/or detention (A55) considerations are to be made using the Temporary Measures to Guide Decisions to Detain and Consideration of Alternatives to Detention.

Note: POE's are responsible for the resumption of claim processing as per regional procedures/processing models. Should a claimant request processing at another CBSA location, it is the responsibility of the initial POE to coordinate the resumption of processing with the claimants preferred processing location.

Should a POE decide to complete the refugee intake process at the time of arrival, all protocols to ensure the health and safety of officers and claimants must followed.

For claims assessed to be ineligible, removal orders will come into force as follows:

i. **101(1)(e) STCA:** immediately [U.S. Removal - Air Mode R159.4(2)];

ii. **Other grounds of ineligibility - non-STCA:** seven (7) days;

iii. **101(1)(c.1):** seven (7) days with an expedited PRRA within 30 days by IRCC;

iv. **101(1)(d):** seven (7) days with an expedited risk assessment for *non-refoulement* within 30 days; and

v. **101(1)(f) cases:** suspend eligibility before referral to Refugee Protection Division to wait the outcome of an admissibility hearing or criminal court proceeding in Canada.

Note: Foreign Nationals determined ineligible under the STCA shall be ordered removed and returned to the U.S. immediately as per ss.48(2) of *IRPA*.

Post Claim Processing Procedures



Foreign Nationals who are permitted to make a claim for refugee protection in Canada while the OIC is in effect are subject to the same requirements as all other travellers as described in OIC 12. Officers are required to follow the process as described at the following link:

COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)

Transfer to Receiving Organizations

Upon completion of port of entry processing, should an individual require transportation and/or accommodations the following departments should be contacted based on whether the individual(s) are asymptomatic or symptomatic.

Asymptomatic Travellers - Immigration, Refugees and Citizenship Canada

Geographic Area	Contact Name	Contact information (07:00 – 21:00)
Windsor & area	Jessica Molloy	
Lacolle & area	Judith Joseph	
Lethbridge & area	Susan Sunde	
Winnipeg & area	Charlotte Theriault	
Surrey & area	Angela Lu	
Niagara Falls & area	Jason Molloy	
All other areas or general inquiries	IRCC Asylum CMT	IRCC.AsylumCMT-EGCdAsile.IRCC@cic.gc.ca
After Hours Contact (21:00 – 07:00)	**Kathryn Jarrett-Ekholm**	

Symptomatic Travellers - Public Health Agency of Canada

PHAC Central Notification System
1-833-615-2384
phac.cns-snc.aspc@canada.ca

Notification Process

POEs are to notify CBSA Case Management of all foreign nationals who have made a claim for refugee protection including all those directed back or who qualify for an exception (STCA or under the *Quarantine Act* and the OIC). Case Management can be notified via email (case-management@cbsa-asfc.gc.ca) with the following subject line: "COVID-19 Response – asylum claimant UCI:11-XXXX-XXXX". The email should also indicate whether the claimants current contact information (telephone number, address and/or email address) is on file for each claimant.



The above is in addition to any established regional notification processes.

Person(s) charged or convicted of an offence that is punishable by the death penalty

POEs must notify the Border Operations Centre immediately and prior to any decision or action is taken on a foreign national who has been charged with or convicted of an offence that is punishable by the death penalty, in the US or another country. The burden of proof is on the claimant to prove that they would be subject to the death penalty.

Return date for the direct back

Under general circumstances, direct backs normally include a specific date and time for the foreign national to return to the POE for further processing. For the duration of COVID-19 response, officers are required to provide the *Asylum handout COVID19* to all foreign nationals seeking refugee protection who are directed back. Officers will instruct all refugee claimants directed back to refer to the *CBSA website* for up to date information on when they should return to Canada. It is important that refugee claimants directed back are clearly counselled that this does not mean that their refugee claim will not be heard but rather that it is only delayed until such time as the OIC is lifted. Once the OIC has been lifted, arrangements will be made for the resumption of the refugee claim examination.

For greater clarity, these regulatory amendments do not impact any of the currently available recourse mechanisms with respect to immigration enforcement. They also do not impact individuals already granted protected person status under subsection 95(2) of the IRPA and seeking to re-enter Canada.

U.S. Interceptions and/or Returns to Canada

All persons seeking to make a claim for asylum in the U.S. and intercepted seeking entry at a place other than a POE, or entering at a U.S. POE, will be returned to the closest CBSA port office. The CBSA port of entry must accept the return of the foreign national; a case-by-case assessment by an officer should be completed and all available officer options can be considered when accepting the return of the person from U.S. authorities.

Once the border measures between Canada and the U.S. are lifted, the individual is to be contacted by U.S. authorities and advised to return to the U.S for further processing.

Additional Information:

- Arrest and/or detention (A55) considerations are to be made using the



Temporary Measures to Guide Decisions to Detain and Consideration of Alternatives to Detention

- For further instructions on symptomatic or asymptomatic foreign nationals, please refer to the shift briefing Restricting the non-essential travel to Canada of U.S. citizens and other foreign nationals arriving from the United States by land, rail, ferry and maritime
- Contact information for Public Health Agency of Canada Quarantine Operations Centres can be found in Appendix B (Quarantine Operations Centres) of Enforcement Manual 4 (Port of Entry Examination).
- Additional guidance on liaising with the Public Health Agency of Canada is found in the People Processing Manual, Part 8, Chapter 5.2
- Additional guidance on POE processing can be found in ENF4 manual
- Additional guidance on writing A44(1) reports and Minister's Delegate review under A44(2) can be found in ENF5 and ENF6 manual, respectively.
- Operational Bulletin: PRG-2015-34 - Transportation of Non-detained Persons in Agency Vehicles while Administering CBSA Program Legislation

Regional Management:

Regional supervisors and managers will ensure that the above instructions are implemented immediately, and will be responsible for regional best practices and for conducting quality assurance.

Contact Information:

Any questions regarding this bulletin should be directed to the following email address:

Border Services Officers: If you have any questions, please forward them through the regional Corporate and Program Services Divisions, which (if required) will then send an email to the Traveller Operations Division's generic inbox: CBSA-ASFC_Ops_Travellers-Voyageurs

Approved by:

John Ommanney, Director General
Travellers Branch

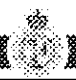
Christian Lorenz, Director General
Intelligence and Enforcement Branch

Effective Date: Immediately	**Updated:** 2020-06-05

Additional bulletins:







BULLETIN OPÉRATIONNEL : OBO-2020-032

TITRE : Intervention en lien avec la COVID-19 – Ressortissants étrangers en provenance des États-Unis qui présentent une demande d'asile aux aéroports, aux ports maritimes et entre les points d'entrée

Date de publication : 2020-04-22	**Mode(s) :** Tous	**Public cible :** Tous les agents qui administrent et appliquent la *LIPR*	**Domaine d'intérêt :** National

Détails :

Les présentes instructions sont spécifiques aux autorités de retour immédiat pour les ressortissants étrangers arrivant des États-Unis qui demandent l'asile à des points d'entrée aériens et maritimes désignés et pour ceux qui entrent au Canada entre deux points d'entrée.

Le nouveau décret (familièrement appelé OIC-12), intitulé Decret visant la reduction du risque d'exposition a la COVID-19 au Canada (interdiction d'entree au Canada en provenance des Etats-Unis), a été effectuée en vertu de l'article 58 de la loi sur la quarantaine.

Ce décret en conseil est en vigueur pour la période commençant le 22 mai 2020 (00h01) et se terminant le 21 juin 2020.

Ce décret abroge et remplace le décret P.C. 2020-263 (OIC11).

Ce nouveau décret (OIC12) reprend les mêmes provisions que celles énoncées dans l'OIC11 en ce qui concerne les personnes qui peuvent demander l'asile.

Renseignements généraux

Afin de renforcer l'autorité du ministre de la Sécurité publique et de la Protection civile pour répondre aux situations d'urgence qui ont une incidence temporaire à la frontière, une nouvelle disposition de retour immédiat en vertu de l'alinéa 41 d) du *RIPR* a été adoptée. Cette modification permet à un agent de renvoyer un ressortissant étranger interdit conformément à un décret ou un règlement d'urgence pris en vertu de la *Loi sur la mise en quarantaine* ou de la *Loi sur les mesures d'urgence*.

L'OIC 12 crée des exceptions à l'interdiction générale d'entrer au Canada dans le but de présenter une demande d'asile. Plus précisément, le nouveau décret prévoit qu'il



est interdit à un étranger d'entrer au Canada dans le but de présenter une demande d'asile, sauf si le ressortissant étranger :

- cherche à entrer au Canada à un point d'entrée terrestre et ferroviaire désigné par le ministre de la Sécurité publique et de la Protection civile en vertu de l'article 26 du *Règlement sur l'immigration et la protection des réfugiés*;
  - est une personne visée par l'article 159.2, 159.5 ou 159.6 du *Règlement sur l'immigration et la protection des réfugiés*;
  - est un citoyen des États-Unis;
- cherche à entrer au Canada autrement qu'à un point d'entrée terrestre ou ferroviaire et est une personne qui est un citoyen des États-Unis, un apatride résidant habituellement aux États-Unis ou un mineur non accompagné et non marié sans parent ni tuteur légal aux États-Unis;
- est une personne dont la présence au Canada est déterminée par le ministre de la Sécurité publique et de la Protection civile ou le ministre de la Citoyenneté et de l'Immigration comme étant dans l'intérêt national ou public, tout en reconnaissant les intérêts primordiaux du Canada et de sa population en matière de santé publique.
  - Plus précisément, les ministres exemptent les personnes suivantes de l'application du décret :
  - les ressortissants étrangers qui déposent une demande d'asile à un point d'entrée aérien ou maritime et qui ne peuvent être immédiatement renvoyés aux États-Unis;
  - les ressortissants étrangers qui pourraient être soumis à la peine de mort dans n'importe quel pays.
    Veuillez vous reporter au processus de notification ci-dessus pour obtenir des instructions sur le traitement des cas.

Mesures requises par les agents et les délégués du ministre (DM) qui administrent et appliquent la *LIPR*

Pour tous les retours immédiats de ressortissants étrangers présentant une demande d'asile à un PDE désigné (voie aérienne ou maritime) ou entre les PDE, les agents seront responsables d'initier et de compléter ce qui suit :

- effectuer des recherches dans tous les systèmes applicables selon les procédures existantes;
- création d'examens et de demandes d'asile pour une admission rapide dans le Système mondial de gestion des cas (SMGC);
- collecte de données biométriques;



- BSF 505 – Ordre de retour aux États-Unis et l'agent sélection de « Vous êtes interdit d'entrée au Canada au titre d'un décret ou d'un règlement pris par le gouverneur en conseil en vertu de la *Loi sur les mesures d'urgence* ou de *la Loi sur la mise en quarantaine*. » dans le formulaire.
- mettre à jour l'écran du Retour immédiat dans le SMGC en sélectionnant l'option « R41d) – *Loi sur les mesures d'urgence/mise en quarantaine* »;
- Avis au transporteur (BSF 502), le cas échéant;
- avis de retour immédiat à l'USCBP en utilisant les procédures locales établies;
- notes détaillées dans l'onglet d'examen du SMGC. Les notes doivent indiquer le PDE ou le point de passage irrégulier lors de l'arrivée. Cela permettra aux agents qui reprendront le traitement du dossier de comprendre quelle méthode de traitement s'applique. Les agents des points d'entrée doivent tenir une liste de tous les ordres de retour immédiat; la liste devrait refléter les renseignements contenus dans l'écran du Retour immédiat du SMGC et inclure l'UCI, le statut du client aux États-Unis, le nom ou les noms et les coordonnées actuelles (numéro de téléphone et adresse courriel) de chaque demandeur.

Exception : Un retour immédiat ne devrait pas être ordonné si les ressortissants étrangers présentent des symptômes et arrivent des États-Unis par un moyen de transport commercial ou public (transport aérien ou maritime). Ces personnes doivent être orientées vers l'ASPC et s'auto-isoler (en fonction de la gravité de leurs symptômes et de l'existence de préoccupations quant à leur capacité à s'isoler). Cela ne s'applique pas aux ressortissants étrangers qui arrivent des États-Unis par moyen de transport personnel (c.-à-d. qu'ils ne posent pas de risque aux autres voyageurs) – ils peuvent être renvoyés immédiatement aux États-Unis.

Les ressortissants étrangers qui peuvent entrer pour faire une demande d'asile conformément au paragraphe 5 (1) ou 5 (2) du décret peuvent entrer même s'ils sont symptomatiques et devront être dirigés vers les agents de quarantaine de l'ASPC, quel que soit le mode ou le lieu d'entrée.

Les demandes d'asile seront soumises à la procédure de réception suivante :

- Déterminez si le ressortissant étranger est symptomatique ou asymptomatique selon les instructions suivantes :
- COVID-19 – Mesures frontalières renforcées à l'appui de la quarantaine obligatoire (voyageurs asymptomatiques) et de l'isolement obligatoire (voyageurs symptomatiques) (tous les modes de transport)
- Effectuez un second contrôle :
  - déterminez si le ressortissant étranger répond à une exemption du décret et s'il est autorisé à présenter une demande;
  - effectuez des recherches dans tous les systèmes applicables selon les procédures existantes;



- Création des cas de Control et Dem-Ref pour le consommation rapide;
- recueillez les données biométriques;
- effectuez une évaluation préliminaire des risques afin d'évaluer l'éligibilité et, une fois l'évaluation effectuée, les options seront les suivantes :

Demande évaluée – Cas présentant un faible risque :

i. Le traitement des demandes d'entrée de ressortissant étranger en provenance des États-Unis qui présentent une demande d'asile, qui sont jugées « à faible risque » et qui semblent satisfaire à une exemption ou à une exception en vertu de l'ETPS.
ii. Une fois le processus d'accusé de réception de la demande terminé, le demandeur est autorisé à entrer pour un examen complémentaire afin de terminer le traitement de la demande d'asile (BSF536).

Demande évaluée – Cas présentant un risque élevé/complexe :

i. Achèvement par l'ASFC au PDE ou à un autre emplacement de l'ASFC une fois le processus d'accusé de réception de la demande terminé, en tenant compte des conditions appropriées pour assurer la conformité.
ii. Les considérations relatives à l'arrestation et à la détention (A55) doivent être prises en compte à l'aide du document Mesures temporaires visant à guider la décision de placer en détention et examen des solutions de rechange à la détention.

Remarque : les agents des PDE sont responsables de la reprise du traitement des demandes conformément aux procédures et modèles de traitement régionaux. Si un demandeur demande que sa demande soit traitée dans un autre bureau de l'ASFC, il incombe à l'agent du PDE initial de coordonner la reprise du traitement avec le bureau de traitement préféré du demandeur.

Si agent du PDE décide de terminer le processus de demande du réfugié au moment de leur arrivée, tous les protocoles visant à garantir la santé et la sécurité des agents et des demandeurs doivent être respectés.

Pour les demandes jugées irrecevables, une mesure de renvoi sera prise comme suit :

i. **101 (1)e) ETPS :** immédiatement;
ii. **Autres motifs d'inéligibilité – non lié à l'ETPS :** sept (7) jours;
iii. **101 (1)c.1) :** sept (7) jours avec un ERAR accéléré dans les 30 jours par IRCC;



iv. **101 (1)d) :** sept (7) jours avec une évaluation accélérée des risques pour le *non-refoulement* dans les 30 jours;

v. **cas 101 (1)f) :** suspendre l'éligibilité avant de renvoyer à la Section de la protection des réfugiés pour attendre La décision d'une enquête ou d'une procédure judiciaire pénale au Canada.

Remarque : Les demandes des ressortissants étrangers jugés non admissibles en vertu de l'ETPS doivent être retirées et les personnes doivent être renvoyées aux États-Unis immédiatement, conformément à l'article 48 (2) de la *LIPR*.

Procédures après le traitement de la demande

Les ressortissants étrangers qui sont autorisés à présenter une demande d'asile au Canada pendant que le décret est en vigueur sont soumis aux mêmes exigences que tous les autres voyageurs, comme le décrit le décret 12. Les agents sont tenus de suivre le processus décrit dans le lien suivant :

COVID-19 – Mesures frontalières renforcées à l'appui de la quarantaine obligatoire (voyageurs asymptomatiques) et de l'isolement obligatoire (voyageurs symptomatiques) (tous les modes de transport)

Transfert aux organismes destinataires

Une fois le traitement au point d'entrée terminé, si une personne a besoin de transport et d'hébergement, on doit contacter les employés des services suivants selon que la personne est asymptomatique ou symptomatique.

Voyageurs asymptomatiques - Immigration, Réfugiés et Citoyenneté Canada

Zone géographique	Nom du contact	Informations de contact (07:00 – 21:00)
Windsor et région	Jessica Molloy	
Lacolle et région	Judith Joseph	
Lethbridge et région	Susan Sunde	
Winnipeg et région	Charlotte Theriault	
Surrey et région	Angela Lu	
Niagara Falls et région	Jason Molloy	
Tous les autres domaines ou demandes générales	IRCC Asylum CMT	IRCC.AsylumCMT-EGCdAsile.IRCC@cic.gc.ca
Contact après les heures de travail (21:00 – 07:00)	**Kathryn Jarrett-Ekholm**	



Voyageurs symptomatiques - Agence de la santé publique du Canada

Ligne centrale de notification de l'ASPC
1-833-615-2384
phac.cns-snc.aspc@canada.ca

Processus de notification

Les PDE doivent informer le service de gestion des cas de l'ASFC de tous les étrangers qui ont présenté une demande d'asile, y compris tous ceux qui ont fait l'objet d'une mesure de renvoi ou qui sont admissibles à une exception (en vertu de la STCA ou de la Loi sur la quarantaine et de l'OIC). La gestion des cas peut être notifiée par courriel (Case-Management@cbsa-asfc.gc.ca) avec l'objet suivant "Réponse COVID-19 - Demandeur d'asile UCI:11-XXXX-XXXX". Le courriel doit également indiquer si les coordonnées actuelles des demandeurs (numéro de téléphone, adresse et/ou adresse électronique) figurent dans le dossier de chaque demandeur.

Ce qui précède s'ajoute aux processus de notification régionaux établis.

Personne accusée ou reconnue coupable d'une infraction passible de la peine de mort

Les PDE doivent informer le Centre des Opérations Frontalières immédiatement et avant toute décision ou action prise à l'égard d'un étranger qui a été accusé ou reconnu coupable d'une infraction passible de la peine de mort, aux États-Unis ou dans un autre pays. La charge de la preuve incombe au demandeur d'asile qui doit prouver qu'il serait soumis à la peine de mort.

Date de retour pour le retour immédiat

De manière générale, les renvois immédiats seront ordonnés selon une date et une heure précises pour le retour du ressortissant étranger au PDE en vue d'un traitement ultérieur. Pendant la durée des interventions en lien avec la COVID-19, les agents sont tenus de fournir le document *Asylum handout COVID19* à tous les ressortissants étrangers qui demandent l'asile et qui sont renvoyés. Les agents demanderont à tous les demandeurs d'asile renvoyés de consulter le *site Web de l'ASFC* pour obtenir des renseignements à jour sur la date à laquelle ils devraient revenir au Canada. Il est important que les demandeurs d'asile renvoyés soient clairement informés que cela ne signifie pas que leur demande d'asile ne sera pas évaluée, mais plutôt qu'elle est seulement retardée jusqu'à ce que le décret soit levé. Une fois que le décret aura été levé, des dispositions seront prises pour la reprise de l'examen des demandes d'asile.

Pour plus de clarté, ces modifications réglementaires n'ont aucune incidence sur les mécanismes de recours actuellement disponibles en ce qui concerne l'application des lois sur l'immigration. Elles n'ont pas non plus d'incidence sur les personnes ayant



déjà obtenu le statut de personne protégée en vertu du paragraphe 95 (2) de la *LIPR* et cherchant à rentrer au Canada.

Interceptions et retours des États-Unis au Canada

Toutes les personnes cherchant à faire une demande d'asile aux États-Unis et interceptées alors qu'elles cherchaient à entrer dans un endroit autre qu'un PDE, ou qu'elles entraient dans un PDE américain, seront renvoyées au bureau de l'ASFC le plus proche. Le point d'entrée de l'ASFC doit accepter le retour du ressortissant étranger; un agent doit procéder à une évaluation au cas par cas et toutes les options disponibles peuvent être prises en considération lorsqu'il accepte le retour de la personne de la part des autorités américaines.

Une fois que les mesures frontalières entre le Canada et les États-Unis sont levées, les autorités américaines doivent contacter la personne et lui conseiller de retourner aux États-Unis pour la suite du traitement.

Renseignements supplémentaires

iii. Les considérations relatives à l'arrestation et à la détention (A55) doivent être prises en compte à l'aide du document Mesures temporaires visant à guider la décision de placer en détention et examen des solutions de rechange à la détention.

- Pour obtenir de plus amples renseignements sur les ressortissants étrangers symptomatiques ou asymptomatiques, reportez-vous à la séance d'information lors du quart de travail intitulée Limiter les voyages non essentiels au Canada des citoyens américains et d'autres ressortissants étrangers qui arrivent des États-Unis par voie terrestre, ferroviaire, maritime et par traversier.
- Les coordonnées des centres d'opérations de quarantaine de l'Agence de santé publique du Canada se trouvent à l'annexe B (Centres d'opérations de quarantaine) du Manuel d'application de la loi 4 (Examen du point d'entrée).
- Des directives supplémentaires sur la liaison avec l'Agence de la santé publique du Canada figurent dans le Manuel de traitement des personnes, Partie 8, chapitre 5.2.
- Des instructions supplémentaires sur le traitement au point d'entrée se trouvent dans le manuel d'application de la loi 4.
- Des directives supplémentaires sur la rédaction des rapports A44 (1) et sur l'examen par les délégués du ministre en vertu de l'A44 (2) se trouvent dans les manuels d'application de la loi 5 et 6, respectivement.
- Bulletin opérationnel : PRG-2015-34 – Transport de personnes non détenues dans des véhicules de l'Agence tout en administrant la législation frontalière de l'ASFC.

Gestion régionale

Les superviseurs et gestionnaires régionaux veilleront à ce que les instructions ci-dessus soient mises en œuvre immédiatement, et seront responsables des pratiques régionales exemplaires et de la conduite de l'assurance qualité.



Coordonnées des personnes-ressources

Toute question concernant ce bulletin doit être envoyée à l'adresse électronique suivante :

Agents des services frontaliers Si vous avez des questions, veuillez les transmettre au bureau régional de la Division des services corporatifs et des programmes, qui (au besoin) enverra un courriel à la boîte de réception générique des Opérations liées aux voyageurs : CBSA-ASFC_Ops_Travellers-Voyageurs

Approuvé par :

John Ommanney, directeur général
Direction générale des voyageurs

Christian Lorenz, directeur général
Direction générale du renseignement et de l'exécution de la loi

Date d'entrée en vigueur : Immédiatement	**Mise à jour :** 2020-06-05

Autres bulletins :





OPERATIONAL BULLETIN: OBO-2020-033

TITLE: COVID-19 Response - Processing claims for refugee protection at a designated land or rail port of entry

Date of Issue:	Mode(s):	Target Audience:	Area of Interest:
2020-04-22	Land and Rail	All officers administering and enforcing IRPA	National

Details:

These instructions are specific to foreign nationals who make a claim for refugee protection at a designated land or rail port of entry (POE). The Agreement between the Government of Canada and the Government of the United States of America for Cooperation in the Examination of Refugee Status Claims from Nationals of Third Countries [known as the Safe Third Country Agreement (STCA)] continues to apply at land and rail POEs for foreign nationals seeking entry to make claim for refugee protection in Canada. This is true whether the foreign national is asymptomatic or symptomatic for COVID-19.

Note: Foreign nationals who seek entry to Canada by land at a place other than an official port of entry, by air, or marine modes, generally remain prohibited. For further guidance and processing instructions for arrivals in these 3 modes please refer to Operational Bulletin: COVID-19 Response - Foreign Nationals arriving from the United States who make a claim for refugee protection at airports, marine ports and between ports of entry.

Background

The new Order in Council (colloquially referred to as OIC-12), entitled Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the United States), has been made pursuant to section 58 of the Quarantine Act.

This Order in Council has effect for the period beginning on May 22, 2020 (00:01) and ending on June 21, 2020.

The Order repeals and replaces the Order in Council P.C. 2020-263 (OIC11).

This new Order in Council (OIC12) replicates the same provisions listed in OIC11 in regards to who can make a claim for refugee protection.



OIC 12 creates exceptions to the general prohibition on entering Canada for the purpose of making a claim for refugee protection. More specifically, the new OIC provides that a foreign national is prohibited from entering Canada for the purpose of making a claim for refugee protection unless the foreign national:

- seeks to enter Canada at a land and rail port of entry designated by the Minister of Public Safety and Emergency Preparedness under section 26 of the Immigration and Refugee Protection Regulations; and
    - is a person referred to in section 159.2, 159.5 or 159.6 of the Immigration and Refugee Protection Regulations; or
    - is a citizen of the United States;
- seeks to enter Canada other than at a land or rail port of entry and is a person who is a citizen of the United States, a stateless habitual resident of the United States or an unaccompanied, unmarried minor without a parent or legal guardian in the US; or

○

- is a person whose presence in Canada is determined by the Minister of Public Safety and Emergency Preparedness or the Minister of Citizenship and Immigration to be in the national or public interest, while recognizing the paramount public health interests of Canada and Canadians. ***(Not currently applicable at Land and Rail Ports of Entry)***

Actions required by officers and Minister's Delegates (MDs) administering and enforcing the IRPA

Claims for refugee protection will be subject to the following intake process:

1. Determine if the foreign national is symptomatic or asymptomatic as per the following instructions:
    - COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)
2. Perform Secondary Examination
    - Determine if they meet an exemption to the OIC and are permitted to make a claim;
    - Conduct queries in all applicable systems per existing procedures;
    - Initiate Refugee Claim in GCMS;
    - Collect biometrics;
    - Conduct a Preliminary Risk Assessment in order to assess eligibility and



once the eligibility assessment is made the following outcomes will occur:

Claim assessed - Low Risk Case:

i. The processing of FNs seeking entry from the U.S. who make a claim for refugee protection and are assessed to be 'low risk' and appear to meet an exemption or exception to the STCA.
ii. Once the acknowledgement of claim process is completed, the claimant is permitted entry for further examination to complete the refugee intake processing (BSF536).

Claim assessed - High Risk/Complex Case:

i. Completion by CBSA at the POE or other CBSA location once the acknowledgement of claim process is completed in consideration of appropriate conditions to ensure compliance;
ii. Arrest and/or detention (A55) considerations are to be made using the Temporary Measures to Guide Decisions to Detain and Consideration of Alternatives to Detention.

Note: POE's are responsible for the resumption of claim processing as per regional procedures/processing models. Should a claimant request processing at another CBSA location, it is the responsibility of the initial POE to coordinate the resumption of processing with the claimants preferred processing location.

Should a POE decide to complete the refugee intake process at the time of arrival, all protocols to ensure the health and safety of officers and claimants must followed.

For claims assessed to be ineligible, removal orders will come into force as follows:

i. **101(1)(e) STCA:** immediately;

ii. **Other grounds of ineligibility - non-STCA:** seven (7) days;

iii. **101(1)(c.1):** seven (7) days with an expedited PRRA within 30 days by IRCC;

iv. **101(1)(d):** seven (7) days with an expedited risk assessment for *non-refoulement* within 30 days; and

v. **101(1)(f) cases:** suspend eligibility before referral to Refugee Protection Division to wait the outcome of an admissibility hearing or criminal court proceeding in Canada.

Note: Foreign Nationals determined ineligible under the STCA shall be ordered removed and returned to the U.S. immediately as per ss.48(2) of *IRPA*.



Post Claim Processing Procedures

Foreign Nationals who are permitted to make a claim for refugee protection in Canada while the OIC is in effect are subject to the same requirements as all other travellers as described in OIC 12. Officers are required to follow the process as described at the following link:

COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)

Transfer to Receiving Organizations

Upon completion of port of entry processing, should an individual require transportation and/or accommodations the following departments should be contacted based on whether the individual(s) are asymptomatic or symptomatic.

Asymptomatic Travellers - Immigration, Refugees and Citizenship Canada

Geographic Area	Contact Name	Contact information (07:00 – 21:00)
Windsor & area	Jessica Molloy	
Lacolle & area	Judith Joseph	
Lethbridge & area	Susan Sunde	
Winnipeg & area	Charlotte Theriault	
Surrey & area	Angela Lu	
Niagara Falls & area	Jason Molloy	
All other areas or general inquiries	IRCC Asylum CMT	IRCC.AsylumCMT-EGCdAsile.IRCC@cic.gc.ca
After Hours Contact (21:00 – 07:00)	**Kathryn Jarrett-Ekholm**	

Symptomatic Travellers - Public Health Agency of Canada

PHAC Central Notification System
1-833-615-2384
phac.cns-snc.aspc@canada.ca

Notification Process

POEs are to notify CBSA Case Management of all foreign nationals who have made a claim for refugee protection including all those directed back or who qualify for an exception (STCA or under the *Quarantine Act* and the OIC). Case Management can be notified via email (case-management@cbsa-asfc.gc.ca) with the following subject line: "COVID-19 Response – asylum claimant UCI:11-XXXX-XXXX". The email should



also indicate whether the claimants current contact information (telephone number, address and/or email address) is on file for each claimant.

The above is in addition to any established regional notification processes.

Person(s) charged or convicted of an offence that is punishable by the death penalty

POEs must notify the Border Operations Centre immediately and prior to any decision or action is taken on a foreign national who has been charged with or convicted of an offence that is punishable by the death penalty, in the US or another country. The burden of proof is on the claimant to prove that they would be subject to the death penalty.

Regional management

Regional supervisors and managers will ensure that the above instructions are implemented immediately, and will be responsible for regional best practices and for conducting quality assurance.

Resources:

For additional instructions on assessing asymptomatic and symptomatic travellers, and/or cases where no exemptions to the prohibition apply, please refer to OBO-2020-021 Regulatory Amendments to Implement Travel Prohibitions in Response to the COVID-19 Pandemic and/or shift briefing bulletin 2020-HQ-AC-03-25-B COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)

Contact Information:

Any questions regarding this bulletin should be directed to the following email address:

Border Services Officers: If you have any questions, please forward them through the regional Corporate and Program Services Divisions, which (if required) will then send an email to the Traveller Operations Division's generic inbox: **ops_travellers-voyageurs@cbsa-asfc.gc.ca**.

Approved by:

John Ommanney, Director General
Travellers Branch



Christian Lorenz, Director General **Intelligence and Enforcement Branch**	
Effective Date: Immediately	**Updated:** 2020-06-05

Additional bulletins:





Shift Briefing Bulletin

Subject :	**COVID-19 Temporary update regarding the "Confirmation of Referral and Notice to Appear (NTA)" and new Basis of Claim Abandon Date Calendar for 2020**
Date :	**June 4, 2020**

Details:

The purpose of this Shift Briefing Bulletin is to provide the updated "Confirmation of referral and notice to appear" letter issued on behalf of the Immigration and Refugee Board (IRB).

In light of the COVID-19 pandemic, the IRB is suspending, until further notice, all in-person hearings except detention reviews and some admissibility hearings involving detained persons. The Refugee Protection Division (RPD) released a Practice Notice on April 7, 2020. Please note that the Practice Notice states that the due date for filing the BOC Form **is now extended to 30 days after the date of the Resumption Notice**. The Resumption Notice is still unknown and will be posted on the IRB website.

Normally, the Basis of Claim (BOC) Form for claims made at a Port of Entry (POE) must be provided to the RPD no more than 15 business days after the day the claim is referred to the RPD. Only in exceptional circumstances may it be provided after the 15 day requirement.

In addition, the purpose of this Shift Briefing Bulletin is to provide with the updated BOC Abandon date calendar. As Operational Bulletin PRG-2018-47 provides all the details about the changes to scheduling of refugee hearing dates and the Confirmation of Referral procedures, the BOC Abandon date calendar has been updated accordingly. The calendar can now be accessed via the Wiki page: BOC Procedures/FDA Procédures.

There are no changes to the other refugee processing procedures to follow at this time.

Actions required by BSOs:

- Continue to follow the current procedures as per PRG-2018-47
- Provide the temporary "Confirmation of referral and notice to appear" to the applicant available on the Wiki page.
- Consult the new BOC Abandon date calendar when processing a refugee claim and continue to use the date indicated within the calendar during this temporary procedure.

Actions required by superintendents:

- Communicate this shift briefing to BSOs
- Keep up to date on travel restriction directives and communicate these with BSOs.

Inquiries:

CBSA-ASFC_Ops_Travellers-Voyageurs

References:

Operational Bulletin PRG-2018-47

IRB: The Practice Notice





Wiki page: BOC Proc edures/FDA Proc édures
Issued by: Travellers Facilit ation Progra ms Unit Progra m & Policy Ma nagement Div ision Travellers Programs Direct orat e

Cuerrier, Josée

From: Modler, Greg
Sent: June 4, 2020 02:47 PM
To: Wherry, Alison; Barone, Jamie; Murrell, Dan; Girard, Claire; Issa, Naseem; Mullen, Jason; Cuerrier, Josée; Lafrance, Michelle; Liut, Daniel; Cantin, Melissa; Sproule, Jason
Subject: FW: SBB- Temp Update on IRB procedures // BIQT - Changement temporaire des procédures concernant le CISR
Attachments: SBB BOC French version.doc; SBB BOC English version.doc

Categories: ATIP 1

FYI

Greg Modler
Traveller Operations Division, Travellers Branch
Canada Border Services Agency / Government of Canada
greg.modler@cbsa-asfc.gc.ca / ***NEW:Tel: / TTY: 866-335-3237

Greg Modler
Division des opérations liées aux voyageurs,
Direction générale des voyageurs
Agence des services frontaliers du Canada / Gouvernement du Canada
greg.modler@cbsa-asfc.gc.ca / ***Nouveau :Tél : */ ATS: 866-335-3237

From: Lamarche, Lynne
Sent: Thursday, June 4, 2020 2:37 PM
To: Sousae, Annie <Annie.Sousae@cbsa-asfc.gc.ca>; Volpe, Antonio <Antonio.Volpe@cbsa-asfc.gc.ca>; Goodkey, Glenn <Glenn.Goodkey@cbsa-asfc.gc.ca>; Modler, Greg <Greg.Modler@cbsa-asfc.gc.ca>; Cabana, Daniel <Daniel.Cabana@cbsa-asfc.gc.ca>
Subject: FW: SBB- Temp Update on IRB procedures // BIQT - Changement temporaire des procédures concernant le CISR

From: Corona Virus Task Force / Groupe de travail du virus Corona (CBSA/ASFC)
Sent: June 4, 2020 2:36:48 PM (UTC-05:00) Eastern Time (US & Canada)
To: McKinnon, Chastity; Correia, Sylvie; Letellier, Marie-Ève; Stewart, Shannon; Martin, Denis; Baxter, Shawna; Grewal, Jyoti; Cuvalo, Marija; Belaire, David; Naqvi, Nadia; Bertosa, Diana; Jeffers, Joycelyn; Woods, Dorothy; White, Lisa; PRA_CBSA-ASFC_Region, Programs; Jarvin, Carl; Bettencourt, Lucia; Desjarlais, Chuck; Stone, Christopher; McManners, William; Linde, John; Wakita, Masao; Redmond, Linell; Lamons, Shantel; Goodman, Nicole; Roy, Lise-Sylvie; CBSA.O Programs Management / Programmes Management O.ASFC; Holtan, Deborah; Charlton, Kevin; Pac-Van-Programs, TF PAC PROGRAMMES TF; Cliffe, Megan; Adams, Meaghan; MacLennan, Isabelle; Schuler, Tuula; Doxey, Laurelle; Peters, Jeryn; Lebrun, Yvette; Mahmood, Nausherwan; Goddard, Jeffrey; CBSA-ASFC_SOR-RSO_COVID19; Taylor, Carrie; Newby, Joshua; Prosia, Michael; Jaeger, Anneliese; Resmini, Mary; Boismier, Tamira; Short, Victoria; Bortolotto, Jennifer; NOR_COVID-19 / RNO_COVID-19 (CBSA/ASFC); ROC-COR Atlantic, Regional Operations Centre - Centre d'operations regionales; ROC-COR Quebec Regional Operations Centre d'opérations régionales; Lee, Chantal; GTAR_Region_Tasking /

RGT_Région_Tasking (CBSA/ASFC); Evert, Jason
Cc: D'Asti, UrszulaX; Martel, Alexandre; Harvie, Tammie; Jolicoeur, Catherine; Dakalbab, Talal; Border Operations Centre / Centre des Operations Frontalières (CBSA/ASFC); Sousae, Annie; Christiansen, Calvin; Lamarche, Lynne; Ommanney, John; Badour, Dan; Easton, Erika-Kirsten; Murray, Don; CBSA-ASFC_OPS_TRAVELLERS-VOYAGEURS; Pyke, Simon; Dutta, Tina; Muka, Marsel; Prémont, Jean-Christian; Crowe, Kelly; Carey, Brandon; Modler, Greg; Murray, Don; Denison, Colleen; INS / SRI (CBSA/ASFC); Robertson, Jayden; Corona Virus Task Force / Groupe de travail du virus Corona (CBSA/ASFC)
Subject: SBB- Temp Update on IRB procedures // BIQT - Changement temporaire des procédures concernant le CISR

*** La version française suit ***

Please find attached the final Shift Briefing Bulletin on the temporary update regarding the "Confirmation of Referral and Notice to Appear (NTA)" and new Basis of Claim Abandon Date Calendar for 2020 for distribution.

Thank you,

Alyssa Herage
Director / Directrice
Travellers Policy and Program Management / Politiques et gestion des programmes de Voyageurs
Canada Border Services Agency / Agence des Services Frontaliers du Canada
Tel: 613-954-6319 / ****NEW/NOUVEAU** Cell:**
alyssa.herage@cbsa-asfc.gc.ca

*** The English version precedes ***

Vous trouverez ci-joint la version finale du bulletin d'information du quart de travail sur le changement temporaire de la « Confirmation de cas déféré et avis de convocation » et nouveau calendrier de désistement concernant le fondement de la demande d'asile (FDA). Le bulletin est prêt pour diffusion.

Merci,

Alyssa Herage
Director / Directrice
Travellers Policy and Program Management / Politiques et gestion des programmes de Voyageurs
Canada Border Services Agency / Agence des Services Frontaliers du Canada
Tel: 613-954-6319 / ****NEW/NOUVEAU** Cell:**
alyssa.herage@cbsa-asfc.gc.ca

Cuerrier, Josée

From: CBSA-ASFC_OPS_TRAVELLERS-VOYAGEURS
Sent: April 20, 2020 09:47 PM
To: Baxter, Stephen; Cantin, Melissa; Chaussé, Isabelle; Claveau, MarkF; Cuerrier, Josée; D'Asti, UrszulaX; Hussey, Tila; Kopetzki, Lorraine; Modler, Greg; Muka, Marsel; Mullen, Jason; Murrell, Dan; Pecaskie, Charlene; Sousae, Annie; Vance, Stephanie; Wherry, Alison; Aube, Erin; Bureaux, Christopher; Demers, ChantalL; Duarte-Nesrallah, Nancy; Glynn, Mary Teresa; Gray, Paul; Hill, Kevin; Hurley, Amanda; Levesque, Emily; Ojha, Richard; Pau, Kai; Pedersen, Alicia; Richard, Dehrig; Rosevear, Dan; Sanderson, Paul; Sommerville, Julie; Steenbakkers, John; Taylor, Paul; Wigham, Melissa; Wood, Rick
Subject: FW: Update: Policy Instruments - COVID 19 Response
Attachments: 2020-160.pdf; CPHO exemption - essential services.pdf; MINA S 01497-2020 COVID-19 Exemption Letter.pdf; 2020-260.pdf; SKM_C55820041508070.pdf; 2020-261.pdf; 2020-262.pdf; 2020-263.pdf

Importance: High

Categories: ATIP 1, For ATIP, Quick access

FYI

From: Lamarche, Lynne <Lynne.Lamarche@cbsa-asfc.gc.ca>
Sent: April 20, 2020 8:28 PM
To: Modler, Greg <Greg.Modler@cbsa-asfc.gc.ca>; CBSA-ASFC_OPS_TRAVELLERS-VOYAGEURS <OPS_TRAVELLERS-VOYAGEURS@cbsa-asfc.gc.ca>; Sousae, Annie <Annie.Sousae@cbsa-asfc.gc.ca>; Cabana, Daniel <Daniel.Cabana@cbsa-asfc.gc.ca>; Romeo, Maria <Maria.Romeo@cbsa-asfc.gc.ca>
Subject: FW: Update: Policy Instruments - COVID 19 Response
Importance: High

Fyi

From: StMarseille, Richard <Richard.StMarseille@cbsa-asfc.gc.ca>
Sent: April 20, 2020 4:53 PM
To: CBSA.OSPB IEIPD / DPELIIT DGPSO.ASFC <CBSA.OSPBIEIPD/DPELIITDGPSO.ASFC@cbsa-asfc.gc.ca>; Barisic, Zrinka <Zrinka.Barisic@cbsa-asfc.gc.ca>; Ludwig, Edward <Edward.Ludwig@cbsa-asfc.gc.ca>; Carey, Brandon <Brandon.Carey@cbsa-asfc.gc.ca>; Daigle, Jason <Jason.Daigle@cbsa-asfc.gc.ca>; Robertson, Jayden <Jayden.Robertson@cbsa-asfc.gc.ca>; Mullen, Jason <Jason.Mullen@cbsa-asfc.gc.ca>; Spicer, Sharon <Sharon.Spicer@cbsa-asfc.gc.ca>; Lamarche, Lynne <Lynne.Lamarche@cbsa-asfc.gc.ca>; Martel, Alexandre <Alexandre.Martel@cbsa-asfc.gc.ca>; Tang, Godfrey <Godfrey.Tang@cbsa-asfc.gc.ca>; Larose, Charlene <Charlene.Larose@cbsa-asfc.gc.ca>; Eyeson, Annick <Annick.Eyeson@cbsa-asfc.gc.ca>; Matrisciano, Giovanni <Giovanni.Matrisciano@cbsa-asfc.gc.ca>; Johnston, Jag <Jag.Johnston@cbsa-asfc.gc.ca>; Lamarche, Lynne <Lynne.Lamarche@cbsa-asfc.gc.ca>; Giolti, Patrizia <Patrizia.Giolti@cbsa-asfc.gc.ca>; Davidson, Jeff <Jeff.Davidson@cbsa-asfc.gc.ca>; Lawless, Lynn <Lynn.Lawless@cbsa-asfc.gc.ca>; Gabbatt, Terri <Terri.Gabbatt@cbsa-asfc.gc.ca>; Herage, Alyssa <Alyssa.Herage@cbsa-asfc.gc.ca>; Wigham, Melissa <Melissa.Wigham@cbsa-asfc.gc.ca>; Borg, Sean <Sean.Borg@cbsa-asfc.gc.ca>; Deshpande, Suhas <Suhas.Deshpande@cbsa-asfc.gc.ca>; Johnston, Genevieve <Genevieve.Johnston@cbsa-asfc.gc.ca>; Larson, Darryl <Darryl.Larson@cbsa-asfc.gc.ca>; Lawton, Alexander <AlexanderB.Lawton@cbsa-asfc.gc.ca>; Melchers, Charles <Charles.Melchers@cbsa-asfc.gc.ca>; Mondy, Yannick <Yannick.Mondy@cbsa-asfc.gc.ca>; Allard, Tamara <Tamara.Allard@cbsa-asfc.gc.ca>; Lebar, Lidija <Lidija.Lebar@cbsa-asfc.gc.ca>; Devries, Stephen <Stephen.Devries@cbsa-asfc.gc.ca>; Vanasse, Nathalie <Nathalie.Vanasse@cbsa-

asfc.gc.ca>; Boucher, Todd <Todd.Boucher@cbsa-asfc.gc.ca>; O'Boyle, Caitlin <Caitlin.O'Boyle@cbsa-asfc.gc.ca>; Théoret, Louis <Louis.Theoret@cbsa-asfc.gc.ca>; Dinis, Valerie <Valerie.Dinis@cbsa-asfc.gc.ca>; Romeo, Maria <Maria.Romeo@cbsa-asfc.gc.ca>; 'Tsai.Maureen' <Maureen.Tsai@cic.gc.ca>; 'Cashaback.David' <David.Cashaback@cic.gc.ca>; 'Thompson.Jordan' <Jordan.Thompson@cic.gc.ca>; 'Deault-Bonin.Emmanuelle' <Emmanuelle.Deault-Bonin@cic.gc.ca>; Drew-Watt, Julia: DFAIT / MAECI <julia.drew-watt@international.gc.ca>; 'Myre.Mathew' <Mathew.Myre@cic.gc.ca>; 'Mündel.Martin' <Martin.Mundel@cic.gc.ca>; 'Gunshoner.Kim' <Kim.Gunshoner@cic.gc.ca>; 'Badr.Sasha' <Sasha.Badr@cic.gc.ca>; 'Richard.Donahue' <Donahue.Richard@cic.gc.ca>; 'Binne.Christine' <Christine.Binne@cic.gc.ca>; 'IRCC-CBSA-Coordination-IRCC-ASFC@international.gc.ca' <IRCC-CBSA-Coordination-IRCC-ASFC@international.gc.ca>; 'COVID-19ExempInq-NMO@international.gc.ca' <COVID-19ExempInq-NMO@international.gc.ca>; 'Kiran.Bhinder@international.gc.ca' <Kiran.Bhinder@international.gc.ca>; 'Andri.Shchudlo@international.gc.ca' <Andri.Shchudlo@international.gc.ca>; 'Chelsea.Caldwell@international.gc.ca' <Chelsea.Caldwell@international.gc.ca>
Cc: Lutfallah, Jennifer <Jennifer.Lutfallah@cbsa-asfc.gc.ca>; Aceti, Julia <Julia.Aceti@cbsa-asfc.gc.ca>; Dakalbab, Talal <Talal.Dakalbab@cbsa-asfc.gc.ca>; Ommanney, John <John.Ommanney@cbsa-asfc.gc.ca>; Christiansen, Calvin <Calvin.Christiansen@cbsa-asfc.gc.ca>; Lorenz, Christian <Christian.Lorenz@cbsa-asfc.gc.ca>; Gaspar, Fred <Fred.Gaspar@cbsa-asfc.gc.ca>; Band, Doug <Doug.Band@cbsa-asfc.gc.ca>
Subject: FW: Update: Policy Instruments - COVID 19 Response
Importance: High

Hi All,

Updates from the last version are in red below.

Thanks
Richard

Instrument	Title	Link / Document	In Force
Order 1 – Quarantine Act	Minimizing the Risk of Exposure to 2019-nCoV Acute Respiratory Disease in Canada Order (Repatriation/Trenton)	https://orders-in-council.canada.ca/attachment.php?attach=38812&lang=en	Feb 3 – March 31
Order 2 – Quarantine Act	Minimizing the Risk of Exposure to COVID-19 Coronavirus Disease in Canada Order	https://orders-in-council.canada.ca/attachment.php?attach=38950&lang=en	Feb 17 – April 30
Order 3 – Quarantine Act	Minimizing the Risk of Exposure to COVID-19 Coronavirus Disease in Canada Order (Persons Not on Government Flight)	https://orders-in-council.canada.ca/attachment.php?attach=38951&lang=en	Feb 19 – April 30
Order 4 – Quarantine Act	Minimizing the Risk of Exposure to COVID-19 Coronavirus Disease in	https://orders-in-council.canada.ca/attachment.php?attach=38952&lang=en	March 18 - March 22

	Canada Order (Prohibition of Entry into Canada)		(was June 30) Is repealed now that Order 6 below comes into force
Order 5 – Quarantine Act	Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the United States)	https://orders-in-council.canada.ca/attachment.php?attach=38958&lang=en	March 21 – March 26 (was April 21) Note replaced by Order 9 below
Order 6 – Quarantine Act	Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from any Country other Than the United States)	https://orders-in-council.canada.ca/attachment.php?attach=38959&lang=en -includes exceptions to the prohibitions which have been incorporated by reference into Order 5 as well as applying in Order 6	March 22 – June 30 Note replaced by Order 7 below
Order 7 – Quarantine Act	Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from any Country other Than the United States)	https://orders-in-council.canada.ca/attachment.php?attach=38990&lang=en (expands list of exceptions, to include broader range of students/workers, and PRV holders etc.)	March 26 – June 30
Order 8 – Quarantine Act	Minimizing the Risk of Exposure to COVID-19 in Canada Order (Mandatory Isolation)	Attached: CPHO Exemption List – Essential Services https://orders-in-council.canada.ca/attachment.php?attach=38989&lang=en	March 25 – April 14 (was June 30) Note, replaced by Order 10 below
Order 9 – Quarantine Act	Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the United States)	https://orders-in-council.canada.ca/attachment.php?attach=38991&lang=en	March 26 – April 21 (to be replaced by forthcoming Order 11)
Order 10 – Quarantine Act	Minimizing the Risk of Exposure to COVID-19 in Canada Order	Attached: 2020-260 & SKM_C55820041508070	April 15 – June 30

	(Mandatory Isolation) No. 2		
Order 11 – Quarantine Act	Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the United States)	Attached: 2020-263	April 22 – May 21
National Interest Exemption Letter – In Transit – Quarantine Act	Authorization for Exemption from Canadian Travel Restrictions and Mandatory Isolation for the Purpose of Transit to an International Destination (National Interest)	Attached: MINA S 01497-2020 COVID-19 Exemption Letter	April 2
Amendments – Immigration and Refugee Protection Regulations	Regulations Amending the Immigration and Refugee Protection Regulations	http://www.gazette.gc.ca/rp-pr/p2/2020/2020-04-15/html/sor-dors55-eng.html Attached RIAS – COVID-19 Regulations: • Establishes mandatory direct back for persons prohibited and arriving from the US under Quarantine Act or Emergencies Act orders or regulations • Establishes a Minister's Delegate issued removal order for cases of non-compliance with the mandatory direct back • Establishes requirement for commercial transportation companies (all modes) to not carry to Canada any person who is prohibited to enter Canada by order or regulation made under the Quarantine Act or Emergencies Act • Repeals Schedule 1 – POEs • Provides Minister of PS the authority to designate hours, location, and certain types of services that do not have to be provided at POEs, taking into account prescribed factors including operational capacity of the cbsa, and any orders or regulations prohibiting entry under either the Quarantine Act or Emergencies Act	In force, March 20
Amendments – Immigration and Refugee Protection Regulations	Regulations Amending the Immigration and Refugee Protection Regulations (*Emergencies Act* and *Quarantine Act*)	Attached: 2020-261 **Amendments include:** • Establishing mandatory immigration conditions that all temporary residents and persons temporarily authorized to enter must comply with any order or regulation made under the Emergencies Act and Quarantine Act	April 20

		• Create a removal order under Minister's Delegate Authority for failure to comply with the new mandatory conditions • Establish a finding of fact regulation to support related inadmissibility determination • Establish COVID-19 related employer obligations and compliance management processes related to temporary foreign workers	
Amendments – Immigration and Refugee Protection Regulations	Regulations Amending the Immigration and Refugee Protection Regulations (*Deposits and Guarantees*)	Attached: 2020-262 **Amendments include:** • Establish minimum factors that must be considered by all decision-makers (officers & Immigration Division etc.) when assessing suitability of a guarantor to ensure compliance with imposed conditions.	Approved, registration / coming into force date is TBC
Designation Instrument – Customs Act and IRPR	Designation of Customs Offices and Ports of Entry	Attached: Designated Customs Office and Ports of Entry & POE DES Schedule – DORB Listing of Offices and IMM Sites – 2020-03-19	March 20
Interim Order - Aeronautics Act	Interim Order to Prevent Certain Persons from Boarding Flights to Canada due to COVID-19, No. 1	https://www.tc.gc.ca/eng/mediaroom/interim-order-prevent-certain-persons-boarding-flights-canada-covid-19.html	March 18, March 19 – March 23 Was replaced by Interim Order – Aeronautics Act 2 below
Interim Order - Aeronautics Act	Interim Order to Prevent Certain Persons from Boarding Flights to Canada due to COVID-19, No. 2	https://www.tc.gc.ca/eng/mediaroom/interim-order-prevent-certain-persons-boarding-flights-canada-covid-19-no-2.html	March 21, March 27 – March 23 Was replaced by Interim Order – Aeronautics Act 3 below
Interim Order - Aeronautics Act	Interim Order to Prevent Certain Persons from Boarding Flights to Canada due to COVID-19, No. 3	https://www.tc.gc.ca/eng/mediaroom/interim-order-prevent-certain-persons-boarding-flights-canada-covid-19-no-3.html	March 24, March 27 – April 6
Interim Order - Aeronautics Act	Interim Order to Prevent Certain Persons from Boarding	https://www.tc.gc.ca/eng/mediaroom/interim-order-prevent-certain-persons-boarding-flights-canada-covid-19-no-4.html	April 6 – April 9

	Flights to Canada due to COVID-19, No. 4		
Interim Order - Aeronautics Act	Interim Order to Prevent Certain Persons from Boarding Flights to Canada due to COVID-19, No. 5	https://www.tc.gc.ca/eng/mediaroom/interim-order-prevent-certain-persons-boarding-flights-canada-covid-19-no-5.html	April 9 – No specified end date

Richard St Marseille

Director
Immigration Enforcement and Inadmissibility Policy Division
Strategic Policy Branch
Canada Border Services Agency / Government of Canada
Richard.StMarseille@cbsa-asfc.gc.ca / Tel: 613-954-3923 / TTY: 866-335-3237

Directeur
Division de la politique d'exécution de la loi en matière d'immigration et de l'interdiction de territoire
Direction générale de la politique stratégique
Agence des services frontaliers du Canada / Gouvernement du Canada
Richard.StMarseille@cbsa-asfc.gc.ca / Tél: 613-954-3923 / ATS: 866-335-3237

Hamelin, Valerie

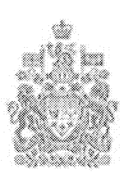
From: Perrier, Daniel -LDN -BF
Sent: April 15, 2020 04:19 AM
To: Bell, Craig -LDN -BF; Bouchard, Alain -PARIS -BF; Coelho, Rohan -VIENN -BF; Dunbar, Ian -VIENN -BF; Huynh, Thang -PARIS -BF; Junik, Bart -BRLIN -BF; Laroche, Sylvain -ROME -BF; Lauzon, Marc-Andre -HAGUE -BF; Nowak, Doug -WSAW -BF; Pnevmonidis, Kyriakos -BRLIN -BF; Wyslouzil, Renee -LDN -BF
Subject: PHAC Order #10 - Minimizing the Risk of Exposure to COVID-19 in Canada Order (Mandatory Isolation) No. 2
Attachments: 2020-260.pdf

Hi

Signed version of the PHAC order No 10 related to mandatory isolation for everyone, symptomatic or now.

If and when interviewing passengers to determine if their travel is essential or not, we should also confirm that they have a place arranged to self-isolate. This will avoid bad surprises at the POE.

Thanks
Daniel



CANADA
PRIVY COUNCIL • CONSEIL PRIVÉ

P.C. 2020-260
April 14, 2020

Whereas the Governor in Council is of the opinion that

(a) based on the declaration of a pandemic by the World Health Organization, there is an outbreak of a communicable disease, namely coronavirus disease 2019 (COVID-19), in the majority of foreign countries;

(b) the introduction and spread of the disease has resulted in an imminent and severe risk to public health in Canada;

(c) the entry of persons into Canada who have recently been in a foreign country may contribute to the spread of the disease in Canada; and

(d) no reasonable alternatives to prevent the introduction or spread of the disease are available;

Therefore, Her Excellency the Governor General in Council, on the recommendation of the Minister of Health, pursuant to section 58 of the *Quarantine Act*, makes the annexed *Minimizing the Risk of Exposure to COVID-19 in Canada Order (Mandatory Isolation), No. 2*.

CERTIFIED TO BE A TRUE COPY—COPIE CERTIFIÉE CONFORME

CLERK OF THE PRIVY COUNCIL—GREFFIER DU CONSEIL PRIVÉ

P. C. 2020-260

Minimizing the Risk of Exposure to COVID-19 in Canada Order (Mandatory Isolation), No. 2

Definitions

Definitions

1 The following definitions apply in this Order.

Chief Public Health Officer means the Chief Public Health Officer appointed under subsection 6(1) of the *Public Health Agency of Canada Act.* (*administrateur en chef*)

isolation means separation of persons who are infected with COVID-19 or who have signs and symptoms of COVID-19 from others in such a manner as to prevent the spread of infection or contamination. (*isolement*)

quarantine means separation of persons entering Canada from others in such a manner as to prevent the possible spread of infection or contamination. (*quarantine*)

quarantine facility means a place that is designated under section 7 of the *Quarantine Act* or that is deemed to be designated under subsection 8(2) of that Act. (*installation de quarantaine*)

signs and symptoms of COVID-19 include a fever and a cough or a fever and difficulty breathing. (*signes et symptômes de la COVID-19*)

vulnerable person means a person who

(a) has an underlying medical condition that makes the person susceptible to complications relating to COVID-19;

(b) has a compromised immune system from a medical condition or treatment; or

(c) is 65 years of age or older. (*personne vulnérable*)

Every Person Entering Canada

Requirement

2 Every person entering Canada must answer any relevant questions asked by a screening officer, quarantine officer or other public health official designated under section 2.1 and provide to the officer or official any information or record in their possession that the officer or official requires, in any manner that the officer or official may reasonably request, for the purposes of the administration of this Order.

Designation

2.1 The Chief Public Health Officer may designate any person as a public health official for the purposes of section 2.

Mask

2.2 Every person must wear a non-medical mask or face covering that the screening officer or quarantine officer considers appropriate upon entry and while in transit to isolation or quarantine, unless the mask or face covering needs to be removed for security or safety reasons.

Asymptomatic Persons

Requirements — asymptomatic persons

3 (1) Any person entering Canada who does not have signs and symptoms of COVID-19 must

(a) quarantine themselves without delay in accordance with instructions provided by a screening officer or a quarantine officer and remain in quarantine until the expiry of the 14-day period that begins on the day on which the person enters Canada; and

(b) monitor for signs and symptoms of COVID-19 until the expiry of the 14-day period and, if they develop any signs and symptoms of COVID-19, follow instructions provided by the public health authority specified by a screening officer or quarantine officer.

Extension

(2) The 14-day period of quarantine and associated requirements of subsection (1) begin anew if, during that 14-day period, the person develops any signs and symptoms of COVID-19 or is exposed to another person subject to this Order who exhibits signs and symptoms of COVID-19.

Unable to quarantine themselves

4 **(1)** A person referred to in section 3 is considered as unable to quarantine themselves if the person cannot quarantine themselves for the period of 14 days referred to in section 3 in a place

(a) that is considered suitable by the Chief Public Health Officer, having regard to the risk to public health posed by COVID-19, the likelihood or degree of exposure of the person to COVID-19 prior to entry to Canada, and any other factor that the Chief Public Health Officer considers relevant;

(b) where they will not be in contact with vulnerable persons, unless the vulnerable person is a consenting adult or is the parent or minor in a parent-minor relationship; or

(c) where they will not have access to the necessities of life.

Requirement — quarantine in a quarantine facility

(2) A person who meets one of the conditions set out in paragraphs (1)(a) to (c) must

(a) if directed by a screening officer or quarantine officer, board any means of transportation provided by the Government of Canada for the purpose of transporting them to a quarantine facility or transferring them between quarantine facilities chosen by the Chief Public Health Officer, including at any time during the 14-day period referred to in paragraph (b);

(b) remain in quarantine at the quarantine facility until the expiry of the 14-day period that begins on the day on which they entered Canada; and

(c) while the person remains at the quarantine facility, undergo any health assessments that a quarantine officer requires.

Transfer

(3) The person referred to in subsection (2) may, with the authorization of a quarantine officer, leave a quarantine facility before the expiry of the 14-day period in order to quarantine themselves in accordance with the requirements of section 3 at a place that is considered suitable by the Chief Public Health Officer, taking into account the factors set out in paragraph 4(1)(a).

Extension

(4) The 14-day period of quarantine and associated requirements of subsection (2) begin anew if, during that 14-day period, the person develops any signs and symptoms of COVID-19 or is exposed to another person subject to this Order who exhibits signs and symptoms of COVID-19.

Choice of quarantine facility

5 In choosing a quarantine facility for the purposes of subsection 4(2), the Chief Public Health Officer must consider the following factors:

(a) the risk to public health posed by COVID-19;

(b) the feasibility of controlling access to and egress from the quarantine facility;

(c) the capacity of the quarantine facility;

(d) the feasibility of quarantining persons;

(e) the likelihood or degree of exposure of the person to COVID-19 prior to entry to Canada; and

(f) any other factor that the Chief Public Health Officer considers relevant.

Non-application — certain persons

6 The requirements referred to in paragraph 3(1)(a) and subsection 4(2) do not apply to a person who is

(a) a *crew member* as defined in subsection 101.01(1) of the *Canadian Aviation Regulations* or a person who enters Canada only to become such a crew member;

(b) a *member of a crew* as defined in subsection 3(1) of the *Immigration and Refugee Protection Regulations* or a person who enters Canada only to become such a crew member;

(c) a person who enters Canada at the invitation of the Minister of Health for the purpose of assisting in the COVID-19 response;

(d) a member of the *Canadian Forces* or a *visiting force* as defined in section 2 of the *Visiting Forces Act*;

(e) a person or any person in a class of persons whom the Chief Public Health Officer determines will provide an essential service;

(f) a person or any person in a class of persons whose presence in Canada, in the opinion of the Minister of Foreign Affairs, the Minister of Citizenship and Immigration or the Minister of Public Safety and Emergency Preparedness, is in the national interest;

(g) a person permitted to work in Canada as a provider of emergency services under paragraph 186(t) of the *Immigration and Refugee Protection Regulations*;

(h) a person who enters Canada for the purpose of providing medical care or transporting essential medical equipment, supplies, or means of treatment, or delivering, maintaining, or repairing medically-necessary equipment or devices, as long as they do not directly care for persons 65 years of age or older within the first 14 days after their entry to Canada;

(i) a person who enters Canada for the purpose of receiving essential medical services or treatments, other than services or treatments related to COVID-19;

(j) a person permitted to work in Canada as a student in a health field under paragraph 186(p) of the *Immigration and Refugee Protection Regulations*, as long as they do not directly care for persons 65 years of age or older within the first 14 days after their entry to Canada;

(k) a licensed health care professional with proof of employment in Canada, as long as they do not directly care for persons 65 years of age or older within the first 14 days after their entry to Canada;

(l) a person, including a captain, deckhand, observer, inspector, scientist and any other person supporting commercial or research fishing-related activities, who enters Canada aboard a *Canadian fishing vessel* or a *foreign fishing vessel* as defined in subsection 2(1) of the *Coastal Fisheries Protection Act*, for the purpose of carrying out fishing or fishing-related activities, including offloading of fish, repairs, provisioning the vessel and exchange of crew;

(m) a person who enters Canada within the boundaries of an integrated trans-border community that exists on both sides of the Canada-United States border and who is a habitual resident of that community, if entering Canada is necessary for carrying out an everyday function within that community; or

(n) a person who enters Canada if the entry is necessary to return to their habitual place of residence in Canada after carrying out an everyday function that, due to geographical constraints, must involve entering the United States.

Non-application — medical

7 (1) The requirements to remain in quarantine as referred to in paragraph 3(1)(a) and subsection 4(2), including the requirement to remain in quarantine as extended by subsections 3(2) or 4(4), do not apply for the duration of any medical emergency or essential medical services or treatments that requires a person to visit or be taken to a health care facility which, in the case of a person referred to in subsection 4(2), is outside the quarantine facility referred to in subsection 4(2).

Non-application — other grounds

(2) The requirements to remain in quarantine as referred to in paragraph 3(1)(a) and subsection 4(2) do not apply to a person if

(a) the person becomes the subject of a provincial or local public health order that is inconsistent with those requirements;

(b) the requirement is inconsistent with another requirement imposed on them under the *Quarantine Act*; or

(c) the Chief Public Health Officer determines that the person does not pose a risk of significant harm to public health.

Exception — leaving Canada

8 A person who must quarantine themselves under section 3 or remain in quarantine at a quarantine facility under section 4 may leave Canada before the expiry of the 14-day quarantine period provided they continue to quarantine themselves until they depart from Canada and provided they depart in a manner consistent with the travel requirements set out in section 2.2.

Symptomatic Persons

Requirements — symptomatic persons

9 Any person entering Canada who has COVID-19 or has signs and symptoms of COVID-19 or has reasonable grounds to suspect they have such signs and symptoms must

(a) isolate themselves without delay in accordance with instructions provided by a screening officer or a quarantine officer and remain in isolation until the expiry of the 14-day period that begins on the day on which the person enters Canada; and

(b) during the period of isolation, undergo any health assessments that a quarantine officer requires, monitor their signs and symptoms and report to the public health authority specified by a screening officer or quarantine officer if they require additional medical care.

Unable to isolate themselves

10 (1) A person referred to in section 9 is considered as unable to isolate themselves for the period of 14 days referred to in section 9 if they meet one of the following conditions:

(a) the person has to use a public means of transportation, including aircraft, bus, train, subway, taxi or ride-sharing service, from the place where they enter Canada to arrive at the place where they will isolate themselves; or

(b) the person cannot isolate themselves for a period of 14 days in a place

(i) that is considered suitable by the Chief Public Health Officer, having regard to the risk to public health posed by COVID-19, the likelihood or degree of exposure of the

person to COVID-19 prior to entry to Canada, and any other factor that the Chief Public Health Officer considers relevant;

(ii) where they will not be in contact with vulnerable persons, unless the vulnerable person is a consenting adult or is the parent or minor in a parent-minor relationship, or

(iii) where they will not have access to the necessities of life.

Requirements — quarantine facility

(2) A person who meets one of the conditions set out in paragraph (1)(a) or (b) must

(a) if directed by a screening officer or quarantine officer, board any means of transportation provided by the Government of Canada for the purpose of transporting them to a quarantine facility or transferring them between quarantine facilities chosen by the Chief Public Health Officer, including at any time during the 14-day period referred to in paragraph (b);

(b) remain in isolation at the quarantine facility until the expiry of the 14-day period that begins on the day on which they entered Canada; and

(c) while the person remains at the quarantine facility, undergo any health assessments that a quarantine officer requires.

Transfer

(3) The person referred to in subsection (2) may, with the authorization of a quarantine officer, leave a quarantine facility before the expiry of the 14-day period in order to isolate themselves in accordance with the requirements of section 9 at a place that is considered suitable by the Chief Public Health Officer, taking into account the factors set out in subparagraph 10(1)(b)(i).

Choice of quarantine facility

11 In choosing a quarantine facility for the purposes of subsection 10(2), the Chief Public Health Officer must consider the following factors:

(a) the risk to public health posed by COVID-19;

(b) the feasibility of controlling access to and egress from the quarantine facility;

(c) the capacity of the quarantine facility;

(d) the feasibility of isolating persons;

(e) the likelihood or degree of exposure of the person to COVID-19 prior to entry to Canada; and

(f) any other factor that the Chief Public Health Officer considers relevant.

Non-application — medical

12 (1) The requirements to remain in isolation as referred to in paragraph 9(a) and subsection 10(2) do not apply for the duration of any medical emergency or essential medical services or treatments that requires a person to visit or be taken to a health care facility which, in the case of a person referred to in subsection 10(2), is outside the quarantine facility referred to in subsection 10(2).

Non-application — other grounds

(2) The requirements to remain in isolation as referred to in paragraph 9(a) and subsection 10(2) do not apply to a person if

(a) the person becomes the subject of a provincial or local public health order that is inconsistent with those requirements;

(b) the requirement is inconsistent with another requirement imposed on them under the *Quarantine Act*; or

(c) the Chief Public Health Officer determines that the person does not pose a risk of significant harm to public health.

Exception — leaving Canada

13 A person who must isolate themselves under section 9 or remain in isolation at a quarantine facility under section 10 may, at the discretion and following the instructions of a quarantine officer, leave Canada before the expiry of the 14-day isolation period provided they continue to isolate themselves until they depart from Canada in a private conveyance.

Powers and Obligations

Powers and obligations

14 For greater certainty, this Order does not affect any of the powers and obligations set out in the *Quarantine Act*.

Non-application

Non-application of P.C. 2020-71

15 The *Minimizing the Risk of Exposure to COVID-19 Coronavirus Disease in Canada Order (Persons Not on Government Flight)*, P.C. 2020-71 of February 19, 2020, does not apply to any person who enters Canada on or after April 15, 2020.

Non-application of P.C. 2020-175

16 The *Minimizing the Risk of Exposure to COVID-19 in Canada Order (Mandatory Isolation)*, P.C. 2020-175 of March 24, 2020, does not apply to any person who enters Canada on or after April 15, 2020.

Repeal

17 The *Minimizing the Risk of Exposure to COVID-19 Coronavirus Disease in Canada Order*[1] is repealed.

Effective Period

April 15, 2020 to June 30, 2020

18 This Order has effect for the period beginning on April 15, 2020 and ending on June 30, 2020.

[1] P.C. 2020-70, February 17, 2020

CANADA

PRIVY COUNCIL • CONSEIL PRIVÉ

C.P. 2020-260
14 avril 2020

Attendu que la gouverneure en conseil est d'avis :

a) que, compte tenu de la déclaration de pandémie de l'Organisation mondiale de la santé, la majorité des pays étrangers est aux prises avec l'apparition d'une maladie transmissible, soit la maladie à coronavirus 2019 (COVID-19);

b) que l'introduction et la propagation de cette maladie ont entraîné un danger grave et imminent pour la santé publique au Canada;

c) que l'entrée au Canada de personnes qui ont récemment séjourné dans un pays étranger favoriserait la propagation de la maladie au Canada;

d) qu'il n'existe aucune autre solution raisonnable permettant de prévenir l'introduction ou la propagation de la maladie au Canada,

À ces causes, sur recommandation de la ministre de la Santé et en vertu de l'article 58 de la *Loi sur la mise en quarantaine*, Son Excellence la Gouverneure générale en conseil prend le *Décret nº2 visant la réduction du risque d'exposition à la COVID-19 au Canada (obligation de s'isoler)*, ci-après.

CERTIFIED TO BE A TRUE COPY–COPIE CERTIFIÉE CONFORME

CLERK OF THE PRIVY COUNCIL–GREFFIER DU CONSEIL PRIVÉ

C. P. 2020-260

Décret n∘2 visant la réduction du risque d'exposition à la COVID-19 au Canada (obligation de s'isoler)

Définitions

Définitions

1 Les définitions qui suivent s'appliquent au présent décret.

administrateur en chef L'administrateur en chef de la santé publique, nommé en application du paragraphe 6(1) de la *Loi sur l'Agence de la santé publique du Canada*. (*Chief Public Health Officer*)

installation de quarantaine Lieu désigné en vertu de l'article 7 de la *Loi sur la mise en quarantaine* ou réputé être désigné au titre du paragraphe 8(2) de cette loi. (*quarantine facility*)

isolement Mise à l'écart de personnes contaminées par la COVID-19 ou qui en présentent des signes et des symptômes, pour prévenir la propagation de l'infection ou la contamination. (*isolation*)

personne vulnérable

a) personne qui a un problème de santé sous-jacent qui la rendrait susceptible de souffrir de complications liées à la COVID-19;

b) personne dont le système immunitaire est affaibli en raison d'un problème de santé ou d'un traitement;

c) personne âgée de soixante-cinq ans ou plus. (*vulnerable person*)

quarantaine Mise à l'écart de personnes qui auraient pu être exposées à une maladie transmissible, de façon à prévenir la propagation éventuelle de l'infection ou la contamination. (*quarantine*)

signes et symptômes de la COVID-19 S'entend notamment d'une fièvre et d'une toux ou d'une fièvre et des difficultés respiratoires. (*signs and symptoms of COVID-19*)

Toute personne entrant au Canada

Obligation

2 Toute personne qui entre au Canada est tenue de répondre aux questions pertinentes de l'agent de contrôle, de l'agent de quarantaine ou de tout autre responsable de la santé publique désigné par l'administrateur en chef en vertu de l'article 2.1 et de lui fournir les renseignements et documents requis qu'elle détient en sa possession, de toute manière pouvant être raisonnablement exigée par l'agent ou le responsable, aux fins d'application du présent décret.

Désignation

2.1 L'administrateur en chef peut désigner toute personne à titre de responsable de la santé publique aux fins d'application de l'article 2.

Masque

2.2 Toute personne, à son entrée et durant son transport pour se rendre au lieu de quarantaine ou d'isolement, doit porter un masque non médical ou un autre couvre-visage jugé approprié par l'agent de contrôle ou l'agent de quarantaine, sauf si le masque ou le couvre-visage doit être enlevé pour des raisons de sécurité.

Personne sans symptômes

Obligation — personne sans symptômes

3 (1) Toute personne qui entre au Canada et qui ne présente pas de signes et de symptômes de la COVID-19 doit, à la fois :

a) se mettre en quarantaine sans délai conformément aux instructions de l'agent de contrôle ou de l'agent de quarantaine et demeurer en quarantaine jusqu'à l'expiration de la période de quatorze jours commençant le jour de son entrée au Canada;

b) vérifier, jusqu'à l'expiration de cette période de quatorze jours, la présence de signes et de symptômes de la COVID-19 et suivre les instructions de l'autorité sanitaire précisées par l'agent de contrôle ou l'agent de quarantaine si de tels signes et symptômes apparaissent.

Prolongation

(2) La période de quarantaine de quatorze jours ainsi que les exigences connexes prévues au paragraphe (1) recommencent lorsque, durant cette même période, la personne commence à présenter des signes et des symptômes de la COVID-19 ou est exposée à une autre personne visée par le présent décret qui en présente.

Incapacité de se mettre en quarantaine

4 (1) La personne visée à l'article 3 est considérée comme incapable de se mettre en quarantaine si, durant la période de quatorze jours visée à l'article 3, elle ne peut se mettre en quarantaine dans un lieu :

a) soit jugé approprié par l'administrateur en chef, en tenant compte du danger pour la santé publique que présente la COVID-19, de la probabilité ou du degré d'exposition de la personne à la COVID-19 avant son entrée au Canada et de tout autre facteur qu'il juge pertinent;

b) soit sans entrer en contact avec une personne vulnérable, sauf si cette personne vulnérable est un adulte consentant ou si elle est le parent ou l'enfant mineur dans une relation parent-enfant;

c) soit sans interrompre sa quarantaine pour se procurer des objets de première nécessité.

Obligation — installation de quarantaine

(2) La personne qui remplit l'une ou l'autre des conditions prévues aux alinéas (1)a) à c) doit :

(a) si un agent de contrôle ou un agent de quarantaine l'ordonne, prendre tout moyen de transport fourni par le gouvernement du Canada pour se rendre à l'installation de quarantaine choisie par l'administrateur en chef, ou pour être transférée entre de telles installations, y compris durant la période de quatorze jours visée à l'alinéa b);

(b) demeurer en quarantaine à l'installation de quarantaine durant une période de quatorze jours qui commence le jour de son entrée au Canada;

(c) subir, pendant qu'elle demeure à l'installation de quarantaine, tout contrôle médical exigé par l'agent de quarantaine.

Transfert

(3) La personne visée au paragraphe (2) peut, avec l'autorisation de l'agent de quarantaine, quitter l'installation de quarantaine avant l'expiration de la période de quatorze jours pour poursuivre sa quarantaine, conformément aux exigences prévues à l'article 3, dans un lieu jugé approprié par l'administrateur en chef en tenant compte des facteurs énoncés à l'alinéa 4(1)a).

Prolongation

(4) La période de quarantaine de quatorze jours ainsi que les exigences connexes prévues au paragraphe (2) recommencent lorsque, durant cette même période, la personne commence à présenter des signes et des symptômes de la COVID-19 ou est exposée à une autre personne visée par le présent décret qui en présente.

Choix — installation de quarantaine

5 Lorsqu'il choisit l'installation de quarantaine pour l'application du paragraphe 4(2), l'administrateur en chef tient compte des facteurs suivants :

a) le danger pour la santé publique que présente la COVID-19;

b) la faisabilité de contrôler les allées et venues à l'installation;

c) la capacité de l'installation;

d) la faisabilité de mettre des personnes en quarantaine;

e) la probabilité ou le degré d'exposition de la personne à la COVID-19 avant son entrée au Canada;

f) tout autre facteur qu'il juge pertinent.

Non-application — certaines personnes

6 Les obligations prévues à l'alinéa 3(1)a) et au paragraphe 4(2) ne s'appliquent pas aux personnes suivantes :

a) le *membre d'équipage* au sens du paragraphe 101.01(1) du *Règlement de l'aviation canadien* ou la personne qui entre au Canada seulement pour devenir un tel membre d'équipage;

b) le *membre d'équipage* au sens du paragraphe 3(1) du *Règlement sur l'immigration et la protection des réfugiés* ou la personne qui entre au Canada seulement pour devenir un tel membre d'équipage;

c) la personne qui entre au Canada à l'invitation du ministre de la Santé afin de participer aux efforts de lutte contre la COVID-19;

d) le membre des *Forces canadiennes* ou d'une *force étrangère présente au Canada* au sens de l'article 2 de la *Loi sur les forces étrangères présentes au Canada*;

e) la personne qui, individuellement ou au titre de son appartenance à une catégorie de personnes, selon ce que conclut l'administrateur en chef, fournira un service essentiel;

f) la personne dont la présence au Canada est, individuellement ou au titre de son appartenance à une catégorie de personnes, de l'avis du ministre des Affaires étrangères, du ministre de la Citoyenneté et de l'Immigration ou du ministre de la Sécurité publique et de la Protection civile, dans l'intérêt national;

g) la personne qui peut travailler au Canada en vertu de l'alinéa 186t) du *Règlement sur l'immigration et la protection des réfugiés* afin d'offrir des services d'urgence;

h) la personne qui entre au Canada afin de fournir des soins médicaux, de transporter de l'équipement, des fournitures ou des traitements médicaux essentiels ou de faire la livraison, l'entretien ou la réparation d'équipements ou d'instruments qui sont nécessaires du point de vue médical, tant qu'elle ne prodigue pas directement des soins à une personne âgée de soixante-cinq ans ou plus durant les quatorze premiers jours après son entrée au Canada;

i) la personne qui entre au Canada afin d'y recevoir des services ou des traitements médicaux essentiels, autres que des services ou des traitements liés à la COVID-19;

j) la personne qui peut travailler au Canada à titre d'étudiant dans un domaine relié à la santé en vertu de l'alinéa 186p) du *Règlement sur l'immigration et la protection des réfugiés*, tant qu'elle ne prodigue pas directement des soins à une personne âgée de soixante-cinq ans ou plus durant les quatorze premiers jours après son entrée au Canada;

k) le professionnel de la santé titulaire d'une licence ou d'un permis d'exercice qui détient une preuve d'emploi au Canada, tant qu'elle ne prodigue pas directement des soins à une personne âgée de soixante-cinq ans ou plus durant les quatorze premiers jours après son entrée au Canada;

l) la personne, notamment le capitaine, le matelot de pont, l'observateur, l'inspecteur, le scientifique et toute autre personne appuyant des activités liées à la pêche commerciale et à la recherche en matière de pêche, qui entre au Canada à bord d'un *bateau de pêche canadien* ou d'un *bateau de pêche étranger*, au sens du paragraphe 2(1) de la *Loi sur la protection des pêches côtières*, dans le but de participer à des activités de pêche ou liées à la pêche, notamment le déchargement du poisson, les réparations, l'approvisionnement du bateau et le remplacement de l'équipage;

m) la personne, qui est résidente habituelle d'une communauté intégrée qui existe des deux côtés de la frontière entre le Canada et les États-Unis, qui entre au Canada à l'intérieur des limites frontalières de cette communauté, si l'entrée au Canada est nécessaire pour y exécuter une activité de tous les jours au sein de cette communauté;

n) la personne qui entre au Canada, si l'entrée au Canada est nécessaire pour revenir à son lieu de résidence habituel au Canada après avoir exécuté une activité de tous les jours qui, compte tenu des contraintes géographiques, nécessite l'entrée aux États-Unis.

Non-application — médical

7 (1) L'obligation de demeurer en quarantaine prévue à l'alinéa 3(1)a) et au paragraphe 4(2), ainsi que la prolongation de la période de quarantaine prévue aux paragraphes 3(2) et 4(4), ne s'appliquent pas durant toute urgence médicale ou tout service ou traitement médical essentiel qui force la personne visée à se rendre ou à être amenée à un établissement de santé qui, dans le cas de la personne visée au paragraphe 4(2), est situé à l'extérieur de l'installation de quarantaine visée au paragraphe 4(2).

Non-application — autres cas

(2) L'obligation de demeurer en quarantaine prévue à l'alinéa 3(1)a) et au paragraphe 4(2) ne s'applique pas à la personne :

a) qui fait l'objet d'une ordonnance de santé publique provinciale ou locale incompatible;

b) à qui est imposée, sous le régime de la *Loi sur la mise en quarantaine*, une obligation incompatible;

c) qui, selon l'administrateur en chef, ne présente pas de danger grave pour la santé publique.

Exception — départ du Canada

8 La personne qui doit se mettre en quarantaine au titre de l'article 3 ou demeurer en quarantaine à l'installation de quarantaine au titre de l'article 4 peut quitter le Canada avant l'expiration de la période de quarantaine de quatorze jours, mais elle doit se mettre en quarantaine jusqu'à son départ et quitter le Canada conformément aux exigences en matière de déplacement prévues à l'article 2.2.

Personne qui présente des symptômes

Obligation — personne qui présente des symptômes

9 Toute personne qui entre au Canada et qui est atteinte de la COVID-19 ou qui présente des signes et des symptômes de la COVID-19, ou a des motifs raisonnables de soupçonner qu'elle en présente, doit :

a) s'isoler sans délai conformément aux instructions de l'agent de contrôle ou de l'agent de quarantaine et rester isolée jusqu'à l'expiration de la période de quatorze jours commençant le jour de son entrée au Canada;

b) pendant la période d'isolement, subir tout contrôle médical exigé par l'agent de quarantaine, vérifier les signes et symptômes qu'elle présente et communiquer avec l'autorité sanitaire précisée par l'agent de contrôle ou l'agent de quarantaine si elle nécessite des soins additionnels.

Incapacité de s'isoler

10 (1) La personne visée à l'article 9 est considérée comme incapable de s'isoler durant la période de quatorze jours visée à l'article 9 si elle remplit l'une des conditions suivantes :

a) elle doit prendre un moyen de transport public, notamment un aéronef, un autocar, un train, le métro, un taxi ou un service de covoiturage, pour se rendre à son lieu d'isolement depuis le lieu de son entrée au Canada;

b) elle ne peut s'isoler durant une période de quatorze jours dans un lieu :

(i) soit jugé approprié par l'administrateur en chef, en tenant compte du danger pour la santé publique que présente la COVID-19, de la probabilité ou du degré d'exposition de la personne à la COVID-19 avant son entrée au Canada et de tout autre facteur qu'il juge pertinent;

(ii) soit sans entrer en contact avec une personne vulnérable, sauf si cette personne vulnérable est un adulte consentant ou si elle est le parent ou l'enfant mineur dans une relation parent-enfant,

(iii) soit sans interrompre son isolement pour se procurer des objets de première nécessité.

Obligation — installation de quarantaine

(2) La personne qui remplit l'une des conditions prévues aux alinéas (1)a) ou b) doit :

a) si un agent de contrôle ou un agent de quarantaine l'ordonne, prendre tout moyen de transport fourni par le gouvernement du Canada pour se rendre à l'installation de quarantaine choisie par l'administrateur en chef ou pour être transférée entre de telles installations, y compris durant la période de quatorze jours visée à l'alinéa b);

b) rester en isolement à l'installation de quarantaine durant une période de quatorze jours qui commence le jour de son entrée au Canada;

c) subir, pendant qu'elle reste en isolement à l'installation de quarantaine, tout contrôle médical exigé par l'agent de quarantaine.

Transfert

(3) La personne visée au paragraphe (2) peut, avec l'autorisation de l'agent de quarantaine, quitter l'installation de quarantaine avant l'expiration de la période de quatorze jours pour poursuivre son isolement, conformément aux exigences prévues à l'article 9, dans un lieu jugé approprié par l'administrateur en chef en tenant compte des facteurs énoncés au sous-alinéa 10(1)b)(i).

Choix — installation de quarantaine

11 Lorsqu'il choisit l'installation de quarantaine pour l'application du paragraphe 10(2), l'administrateur en chef tient compte des facteurs suivants :

a) le danger pour la santé publique que présente la COVID-19;

b) la faisabilité de contrôler les allées et venues à l'installation;

c) la capacité de l'installation;

d) la faisabilité d'isoler des personnes;

e) la probabilité ou le degré d'exposition de la personne à la COVID-19 avant son entrée au Canada;

f) tout autre facteur qu'il juge pertinent.

Non-application — médical

12 (1) L'obligation de rester isolé prévue à l'alinéa 9a) et au paragraphe 10(2) ne s'applique pas durant toute urgence médicale ou tout service ou traitement médical essentiel qui force la personne visée à se rendre ou à être amenée à un établissement de santé qui, dans le cas de la personne visée au paragraphe 10(2), est situé à l'extérieur de l'installation de quarantaine visée au paragraphe 10(2).

Non-application — autres cas

(2) L'obligation de rester isolé prévue à l'alinéa 9a) et au paragraphe 10(2) ne s'applique pas à la personne :

a) qui fait l'objet d'une ordonnance de santé publique provinciale ou locale incompatible;

b) à qui est imposée, sous le régime de la *Loi sur la mise en quarantaine*, une obligation incompatible;

c) qui, selon l'administrateur en chef, ne présente pas de danger grave pour la santé publique.

Exception — départ du Canada

13 La personne qui doit s'isoler au titre de l'article 9 ou rester en isolement à une installation de quarantaine au titre de l'article 10 peut, à la discrétion d'un agent de quarantaine et suivant ses instructions, quitter le Canada avant l'expiration de la période d'isolement de quatorze jours, mais elle doit s'isoler jusqu'à son départ et quitter le Canada en prenant un moyen de transport privé.

Pouvoirs et obligations

Pouvoirs et obligations

14 Il est entendu que le présent décret ne porte pas atteinte aux pouvoirs et aux obligations prévus par la *Loi sur la mise en quarantaine*.

Non-application

Non-application — C.P. 2020–71

15 Le *Décret visant la réduction du risque d'exposition à la maladie à coronavirus COVID-19 au Canada (personnes absentes d'un vol gouvernemental)*, C.P. 2020–71, 19 février 2020, ne s'applique pas aux personnes qui entrent au Canada le ou après le 15 avril 2020.

Non-application — C.P. 2020–175

16 Le *Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (obligation de s'isoler)*, C.P. 2020–175, 24 mars 2020, ne s'applique pas aux personnes qui entrent au Canada le ou après le 15 avril 2020.

Abrogation

17 **Le *Décret visant la réduction du risque d'exposition à la maladie à coronavirus COVID-19 au Canada*[1] est abrogé.**

Durée d'application

15 avril 2020 au 30 juin 2020

18 **Le présent décret s'applique pendant la période commençant le 15 avril 2020 et se terminant le 30 juin 2020.**

[1] C.P. 2020-70, 17 février 2020



CANADA
PRIVY COUNCIL • CONSEIL PRIVÉ

P.C. 2020-184
March 26, 2020

Whereas the Governor in Council is of the opinion that

(a) based on the declaration of a pandemic by the World Health Organization, there is an outbreak of a communicable disease, namely coronavirus disease 2019 (COVID-19), in the majority of foreign countries;

(b) the introduction or spread of the disease would pose an imminent and severe risk to public health in Canada;

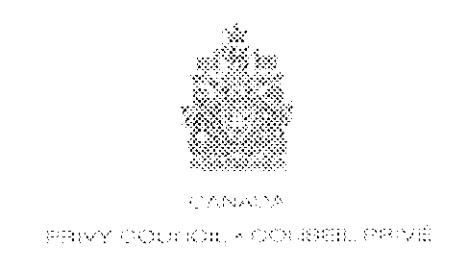
(c) the entry of persons into Canada who have recently been in a foreign country may introduce or contribute to the spread of the disease in Canada; and

(d) no reasonable alternatives to prevent the introduction or spread of the disease are available;

Therefore, Her Excellency the Governor General in Council, on the recommendation of the Minister of Health, pursuant to section 58 of the *Quarantine Act*, makes the annexed *Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from any Country other than the United States).*

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CLERK OF THE PRIVY COUNCIL-GREFFIER DU CONSEIL PRIVÉ



C.P. 2020-184
26 mars 2020

Attendu que la gouverneure en conseil est d'avis :

a) que, compte tenu de la déclaration de pandémie de l'Organisation mondiale de la santé, la majorité des pays étrangers est aux prises avec l'apparition d'une maladie transmissible, soit la maladie à coronavirus 2019 (COVID-19);

b) que l'introduction ou la propagation de cette maladie présenterait un danger grave et imminent pour la santé publique au Canada;

c) que l'entrée au Canada de personnes qui ont récemment séjourné dans un pays étranger favoriserait l'introduction ou la propagation de la maladie au Canada;

d) qu'il n'existe aucune autre solution raisonnable permettant de prévenir l'introduction ou la propagation de la maladie au Canada,

À ces causes, sur recommandation de la ministre de la Santé et en vertu de l'article 58 de la *Loi sur la mise en quarantaine*, Son Excellence la Gouverneure générale en conseil prend le *Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance d'un pays étranger autre que les États-Unis)*, ci-après.

CERTIFIED TO BE A TRUE COPY - COPIE CERTIFIÉE CONFORME

CLERK OF THE PRIVY COUNCIL - GREFFIER DU CONSEIL PRIVÉ

Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from any Country other than the United States)

Definition of *immediate family member*

1 In this Order, *immediate family member*, in respect of a person means

(a) the spouse or common-law partner of the person;

(b) a dependent child, as defined in section 2 of the *Immigration and Refugee Protection Regulations*, of the person or of the person's spouse or common-law partner;

(c) a dependent child, as defined in section 2 of the *Immigration and Refugee Protection Regulations*, of a dependent child referred to in paragraph (b);

(d) the parent or step-parent of the person or of the person's spouse or common-law partner; or

(e) the guardian or tutor of the person.

Prohibition

2 Any *foreign national*, as defined in subsection 2(1) of the *Immigration and Refugee Protection Act*, is prohibited from entering Canada if they arrive from a foreign country other than the United States.

Non-application

3 (1) Section 2 does not apply to

(a) an immediate family member of a Canadian citizen or of a *permanent resident* as defined in subsection 2(1) of the *Immigration and Refugee Protection Act*;

(b) a person who is authorized, in writing, by an officer designated under subsection 6(1) of the *Immigration and Refugee Protection Act* or by a consular officer of the Government of Canada, to enter Canada for the purpose of reuniting immediate family members;

(c) a *crew member* as defined in subsection 101.01(1) of the *Canadian Aviation Regulations* or a person who seeks to enter Canada only to become such a crew member;

(d) a *member of a crew* as defined in subsection 3(1) of the *Immigration and Refugee Protection Regulations* or a person who seeks to enter Canada only to become such a member of a crew;

(e) a person who is exempt from the requirement to obtain a temporary resident visa under paragraph 190(2)(a) of the *Immigration and Refugee Protection Regulations* and the immediate family members of that person;

(f) a person who seeks to enter Canada at the invitation of the Minister of Health for the purpose of assisting in the COVID-19 response;

(g) a person who arrives by any means of a conveyance operated by the Canadian Forces or the Department of National Defence;

(h) a member of the Canadian Forces or a *visiting force*, as defined in section 2 of the *Visiting Forces Act*, and the immediate family members of that member;

(i) a French citizen who resides in Saint-Pierre-et-Miquelon and has been only in Saint-Pierre-et-Miquelon, the United States or Canada during the period of 14 days before the day on which they arrived in Canada;

(j) a person or any person in a class of persons who, in the opinion of the Chief Public Health Officer appointed under subsection 6(1) of the *Public Health Agency of Canada Act*

(i) does not pose a risk of significant harm to public health, or

(ii) will provide an essential service while in Canada;

(k) a person whose presence in Canada, in the opinion of the Minister of Foreign Affairs, the Minister of Citizenship and Immigration or the Minister of Public Safety and Emergency Preparedness, is in the national interest;

(l) a person who arrives by means of a *vessel* as defined in section 2 of the *Canada Shipping Act, 2001*, if the vessel departed before 00:00:01 am Eastern Daylight Time on March 21, 2020 and had a scheduled destination of Canada upon its departure;

(m) the holder of a valid *work permit* or a *study permit* as defined in section 2 of the *Immigration and Refugee Protection Regulations*;

(n) a person whose application for a work permit referred to in paragraph (m) was approved under the *Immigration and Refugee Protection Act* and who has received written notice of the approval, but who has not yet been issued the permit;

(o) a person whose application for a study permit referred to in paragraph (m) was approved under the *Immigration and Refugee Protection Act*, and who received written notice of the approval before noon, Eastern Daylight Time on March 18, 2020, but who has not yet been issued the permit;

(p) a person permitted to work in Canada as a student in a health field under paragraph 186(p) of the *Immigration and Refugee Protection Regulations*;

(q) a person permitted to work in Canada as a provider of emergency services under paragraph 186(t) of the *Immigration and Refugee Protection Regulations.*

(r) a licensed health care professional with proof of employment in Canada;

(s) a person who seeks to enter Canada for the purpose of delivering, maintaining, or repairing medically-necessary equipment or devices;

(t) a person who seeks to enter Canada for the purpose of making medical deliveries of cells, blood and blood products, tissues, organs or other body parts, that are required for patient care in Canada during or within a reasonable period of time after the expiry of the Order;

(u) a person whose application for permanent residence was approved under the *Immigration and Refugee Protection Act*, and who received written notice of the approval before noon, Eastern Daylight Time on March 18, 2020, but who has not yet become a permanent resident under that Act; or

(v) a worker in the marine transportation sector who is essential for the movement of goods by *vessel*, as defined in section 2 of the *Canada Shipping Act, 2001*, and who seeks to enter Canada for the purpose of performing their duties in that sector.

Exception — signs and symptoms

(2) Despite subsection (1), a foreign national is prohibited from entering Canada from a foreign country other than the United States if they exhibit the following signs and symptoms:

(a) a fever and cough, or

(b) a fever and breathing difficulties.

Exception — optional or discretionary purpose

(3) Despite subsection (1), a person who seeks to enter Canada for an optional or discretionary purpose, such as tourism, recreation or entertainment, is prohibited from entering Canada from a foreign country other than the United States.

Non-application — order

4 This Order does not apply to

(a) a person registered as an Indian under the *Indian Act*; or

(b) a protected person within the meaning of subsection 95(2) of the *Immigration and Refugee Protection Act*.

Powers and obligations

5 For greater certainty, this Order does not affect any of the powers and obligations set out in the *Quarantine Act*.

Repeal of P.C. 2020-0162

6 The *Minimizing the Risk of Exposure to COVID-19 Coronavirus Disease in Canada Order (Prohibition of Entry into Canada from any country other than the United States)* is repealed.

Effective period

7 This Order has effect for the period beginning on the day on which it is made and ending on June 30, 2020.

C. P. 2020-184

Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance d'un pays étranger autre que les États-Unis)

Définition de *membre de la famille immédiate*

1 Dans le présent décret, *membre de la famille immédiate* s'entend, à l'égard d'une personne :

a) de son époux ou conjoint de fait;

b) de son *enfant à charge* au sens de l'article 2 du *Règlement sur l'immigration et la protection des réfugiés* ou de celui de son époux ou conjoint de fait;

c) de l'*enfant à charge* au sens de l'article 2 du *Règlement sur l'immigration et la protection des réfugiés* d'un enfant à charge visé à l'alinéa b);

d) de son parent ou de son beau-parent ou du parent ou beau-parent de son époux ou conjoint de fait;

e) de son tuteur.

Interdiction

2 Il est interdit à tout *étranger* au sens du paragraphe 2(1) de la *Loi sur l'immigration et la protection des réfugiés* d'entrer au Canada en provenance de tout pays étranger autre que les États-Unis.

Non-application

3 (1) L'article 2 ne s'applique pas aux personnes suivantes :

a) le membre de la famille immédiate d'un citoyen canadien ou d'un *résident permanent* au sens du paragraphe 2(1) de la *Loi sur l'immigration et la protection des réfugiés*;

b) la personne qui est autorisée, par écrit, par un agent désigné en vertu du paragraphe 6(1) de la *Loi sur l'immigration et la protection des réfugiés* ou par un agent consulaire du gouvernement du Canada à entrer au Canada dans le but de réunir les membres d'une famille immédiate;

c) le *membre d'équipage* au sens du paragraphe 101.01(1) du *Règlement de l'aviation canadien* ou la personne qui cherche à entrer au Canada seulement pour devenir un tel membre d'équipage;

d) le *membre d'équipage* au sens du paragraphe 3(1) du *Règlement sur l'immigration et la protection des réfugiés* ou la personne qui cherche à entrer au Canada seulement pour devenir un tel membre d'équipage;

e) la personne qui est dispensée de l'obligation d'obtenir un visa de résident temporaire en application de l'alinéa 190(2)a) du *Règlement sur l'immigration et la protection des réfugiés* ainsi que les membres de sa famille immédiate;

f) la personne qui cherche à entrer au Canada à l'invitation de la ministre de la Santé afin de participer aux efforts de lutte contre la COVID-19;

g) la personne qui arrive à bord d'un véhicule exploité par les Forces canadiennes ou le ministère de la Défense nationale;

h) le membre des Forces canadiennes ou d'une *force étrangère présente au Canada* au sens de l'article 2 de la *Loi sur les forces étrangères présentes au Canada* ainsi que les membres de sa famille immédiate;

i) le citoyen français qui réside à Saint-Pierre-et-Miquelon et qui a séjourné uniquement à Saint-Pierre-et-Miquelon, aux États-Unis ou au Canada durant la période de quatorze jours précédant le jour de son arrivée au Canada;

j) la personne qui, individuellement ou au titre de son appartenance à une catégorie déterminée de personnes, selon l'administrateur en chef nommé en application du paragraphe 6(1) de la *Loi sur l'Agence de la santé publique du Canada* :

(i) soit ne présente pas de danger grave pour la santé publique,

(ii) soit fournira un service essentiel durant son séjour au Canada;

k) la personne dont la présence au Canada est, de l'avis du ministre des Affaires étrangères, du ministre de la Citoyenneté et de l'Immigration ou du ministre de la Sécurité publique et de la Protection civile, dans l'intérêt national;

l) la personne qui arrive à bord d'un *bâtiment* au sens de la *Loi de 2001 sur la marine marchande du Canada*, à condition que le bâtiment ait quitté son point de départ à destination du Canada avant 0 h 0 min 1 s, heure avancée de l'Est, le 21 mars 2020;

m) le titulaire d'un *permis de travail* ou d'un *permis d'études*, au sens de l'article 2 du *Règlement sur l'immigration et la protection des réfugiés*, valides;

n) la personne qui, bien qu'ayant été avisée par écrit que sa demande visant à obtenir le permis de travail visé à l'alinéa m) a été approuvée sous le régime de la *Loi sur l'immigration et la protection des réfugiés*, ne s'est pas encore vue délivrer le permis de travail;

o) la personne qui, bien qu'ayant été avisée par écrit avant midi, heure avancée de l'Est, le 18 mars 2020 que sa demande visant à obtenir le permis d'études visé à l'alinéa m) a été approuvée sous le régime de la *Loi sur l'immigration et la protection des réfugiés*, ne s'est pas encore vue délivrer le permis d'études;

p) la personne qui peut travailler au Canada à titre d'étudiant en vertu de l'alinéa 186p) du *Règlement sur l'immigration et la protection des réfugiés* dans un domaine relié à la santé;

q) la personne qui peut travailler au Canada en vertu de l'alinéa 186t) du *Règlement sur l'immigration et la protection des réfugiés* afin d'offrir des services d'urgence;

r) le professionnel de la santé titulaire d'une licence ou d'un permis d'exercice qui détient une preuve d'emploi au Canada;

s) la personne qui cherche à entrer au Canada afin d'y faire des livraisons d'équipements ou d'instruments qui sont nécessaires du point de vue médical ou afin de faire leur entretien ou de les réparer;

t) la personne qui cherche à entrer au Canada afin d'y faire des livraisons médicales de cellules souches, de sang ou de produits sanguins, de tissus, d'organes ou d'autres parties du corps qui sont requis par des patients au Canada pendant la durée d'application du présent décret ou pendant un délai raisonnable après la fin de son application;

u) la personne qui, bien qu'ayant été avisée par écrit avant midi, heure avancée de l'Est, le 18 mars 2020 que sa demande de résidence permanente a été approuvée sous le régime de la *Loi sur l'immigration et la protection des réfugiés*, n'est pas encore devenue résident permanent sous le régime de cette loi;

v) la personne qui travaille dans le secteur maritime des transports qui est essentielle au transport de marchandises par *bâtiment*, au sens de la *Loi de 2001 sur la marine marchande du Canada*, et qui cherche à entrer au Canada afin d'exécuter des tâches dans ce secteur.

Exception — signes et symptômes

(2) Malgré le paragraphe (1), il est interdit à tout personne d'entrer au Canada en provenance de tout pays étranger autre que les États-Unis si elle présente les signes et les symptômes suivants :

a) soit une fièvre et de la toux;

b) soit une fièvre et des difficultés respiratoires.

Exception — fins de nature optionnelle ou discrétionnaire

(3) Malgré le paragraphe (1), il est interdit à la personne qui cherche à entrer au Canada à des fins de nature optionnelle ou discrétionnaire, telles que le tourisme, les loisirs ou le divertissement, d'entrer au Canada en provenance de tout pays étranger autre que les États-Unis.

Non-application — décret

4 Le présent décret ne s'applique pas :

a) à la personne qui est inscrite au registre des Indiens en vertu de la *Loi sur les Indiens*;

b) à la personne protégée au sens du paragraphe 95(2) de la *Loi sur l'immigration et la protection des réfugiés*.

Pouvoirs et obligations

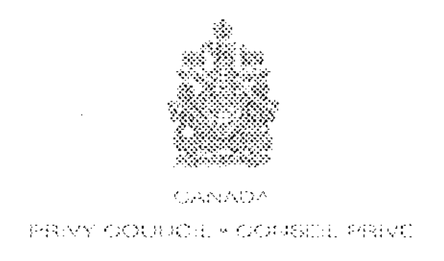
5 Il est entendu que le présent décret ne porte pas atteinte aux pouvoirs et aux obligations prévus par la *Loi sur la mise en quarantaine*.

Abrogation du C.P. 2020-0162

6 Le *Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance d'un pays étranger autre que les États-Unis)* est abrogé.

Durée

7 Le présent décret s'applique pendant la période commençant à la date de sa prise et se terminant le 30 juin 2020.



P.C. 2020-185
March 26, 2020

Whereas the Governor in Council is of the opinion that

(a) based on the declaration of a pandemic by the World Health Organization, there is an outbreak of a communicable disease, namely coronavirus disease 2019 (COVID-19), in the majority of foreign countries;

(b) the introduction or spread of the disease would pose an imminent and severe risk to public health in Canada;

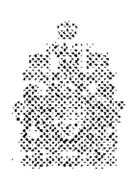
(c) the entry of persons into Canada who have recently been in a foreign country may introduce or contribute to the spread of the disease in Canada; and

(d) no reasonable alternatives to prevent the introduction or spread of the disease are available;

Therefore, Her Excellency the Governor General in Council, on the recommendation of the Minister of Health, pursuant to section 58 of the *Quarantine Act*, makes the annexed *Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the United States)*.

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CLERK OF THE PRIVY COUNCIL-GREFFIER DU CONSEIL PRIVÉ



CANADA
PRIVY COUNCIL • CONSEIL PRIVÉ

C.P. 2020-185
26 mars 2020

Attendu que la gouverneure en conseil est d'avis :

a) que, compte tenu de la déclaration de pandémie de l'Organisation mondiale de la santé, la majorité des pays étrangers est aux prises avec l'apparition d'une maladie transmissible, soit la maladie à coronavirus 2019 (COVID-19);

b) que l'introduction ou la propagation de cette maladie présenterait un danger grave et imminent pour la santé publique au Canada;

c) que l'entrée au Canada de personnes qui ont récemment séjourné dans un pays étranger favoriserait l'introduction ou la propagation de la maladie au Canada;

d) qu'il n'existe aucune autre solution raisonnable permettant de prévenir l'introduction ou la propagation de la maladie au Canada,

À ces causes, sur recommandation de la ministre de la Santé et en vertu de l'article 58 de la *Loi sur la mise en quarantaine*, Son Excellence la Gouverneure générale en conseil prend le *Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance des États-Unis)*, ci-après.

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CLERK OF THE PRIVY COUNCIL–GREFFIER DU CONSEIL PRIVÉ

Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the United States)

Definition of *foreign national*

1 In this Order, ***foreign national*** has the same meaning as in subsection 2(1) of the *Immigration and Refugee Protection Act*.

Prohibition — signs and symptoms

2 (1) A foreign national is prohibited from entering Canada from the United States if they exhibit the following signs and symptoms:

(a) a fever and cough; or

(b) a fever and breathing difficulties.

Non-application — certain persons

(2) Subsection (1) does not apply to persons referred to in subsection 5(2) who seek to enter Canada from the United States for the purpose of making a claim for refugee protection.

Prohibition — optional or discretionary purpose

3 A foreign national is prohibited from entering Canada from the United States if they seek to enter for an optional or discretionary purpose, such as tourism, recreation or entertainment.

Prohibition — been outside Canada or the United States

4 (1) A foreign national who seeks to enter Canada from the United States for a purpose other than an optional or discretionary purpose is nonetheless prohibited from entering Canada if they have been outside Canada and the United States during the period of 14 days before the day on which they seek to enter Canada.

Non-application — certain persons

(2) Subsection (1) does not apply to a person

(a) referred to in subsection 5(2) who seeks to enter Canada from the United States for the purpose of making a claim for refugee protection; or

(b) referred to in subsection 3(1) of the *Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from any country other than the United States)*.

Prohibition — claim for refugee protection

5 (1) A foreign national is prohibited from entering Canada from the United States for the purpose of making a claim for refugee protection.

Non-application — certain persons

(2) Subsection (1) does not apply to

(a) a citizen of the United States;

(b) a stateless habitual resident of the United States;

(c) a mother, father or legal guardian within the meaning of the *Immigration and Refugee Protection Regulations* of a person who

(i) has not attained the age of 18 years,

(ii) is a citizen of the United States, and

(iii) who seeks to enter Canada for the purpose of making a claim for refugee protection; or

(d) a person who

(i) has not attained the age of 18 years and is not accompanied by their mother, father or legal guardian within the meaning of the *Immigration and Refugee Protection Regulations*,

(ii) has neither a spouse nor a common-law partner within the meaning of those Regulations, and

(iii) has neither a mother or father nor a legal guardian within the meaning of those Regulations in the United States.

Non-application — order

6 This Order does not apply to

(a) a person registered as an Indian under the *Indian Act*;

(b) a person who, in the opinion of the Chief Public Health Officer appointed under subsection 6(1) of the *Public Health Agency of Canada Act*, does not pose a risk of significant harm to public health; or

(c) a protected person within the meaning of subsection 95(2) of the *Immigration and Refugee Protection Act*.

Powers and obligations

7 For greater certainty, this Order does not affect any of the powers and obligations set out in the *Quarantine Act*.

Repeal of P.C. 2020–0161

8 The *Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the United States)* is repealed.

Effective period

9 This Order has effect for the period beginning on the day on which it is made and ending on April 21, 2020.

C. P. 2020-185

Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance des États-Unis)

Définition de *étranger*

1 Dans le présent décret, ***étranger*** s'entend au sens du paragraphe 2(1) de la *Loi sur l'immigration et la protection des réfugiés.*

Interdiction — signes et symptômes

2 (1) Il est interdit à tout étranger d'entrer au Canada en provenance des États-Unis s'il présente les signes et les symptômes suivants :

a) soit une fièvre et de la toux;

b) soit une fièvre et des difficultés respiratoires.

Non-application — certaines personnes

(2) Le paragraphe (1) ne s'applique pas aux personnes visées au paragraphe 5(2) qui cherchent à entrer au Canada en provenance des États-Unis afin de faire une demande d'asile.

Interdiction — fins optionnelles ou discrétionnaires

3 Il est interdit à tout étranger d'entrer au Canada en provenance des États-Unis s'il cherche à y entrer à des fins de nature optionnelle ou discrétionnaire telles que le tourisme, les loisirs ou le divertissement.

Interdiction — séjour ailleurs qu'aux États-Unis ou au Canada

4 (1) Il est pas ailleurs interdit à l'étranger qui cherche à entrer au Canada en provenance des États-Unis à des fins autre que des fins de nature optionnelle ou discrétionnaire d'entrer au Canada s'il a séjourné ailleurs qu'aux États-Unis ou qu'au Canada durant la période de quatorze jours précédant la date à laquelle il cherche à entrer au Canada.

Non-application — certaines personnes

(2) Le paragraphe (1) ne s'applique pas aux personnes suivantes :

a) celles visées au paragraphe 5(2) qui cherchent à entrer au Canada en provenance des États-Unis afin de faire une demande d'asile;

b) celles visées au paragraphe 3(1) du *Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance d'un pays étranger autre que les États-Unis).*

Interdiction — demande d'asile

5 **(1)** Il est interdit à l'étranger d'entrer au Canada en provenance des États-Unis afin de faire une demande d'asile.

Non-application — certaines personnes

(2) Le paragraphe (1) ne s'applique pas :

a) au citoyen des États-Unis;

b) à l'apatride qui a sa résidence habituelle aux États-Unis;

c) à la mère, au père ou au tuteur légal au sens du *Règlement sur l'immigration et la protection des réfugiés* d'une personne qui :

(i) a moins de dix-huit ans,

(ii) est un citoyen des États-Unis,

(iii) cherche à entrer au Canada pour faire une demande d'asile;

d) à la personne qui satisfait aux exigences suivantes :

(i) elle a moins de dix-huit ans et n'est pas accompagnée par son père, sa mère ou son tuteur légal au sens du *Règlement sur l'immigration et la protection des réfugiés*,

(ii) elle n'a ni époux ni conjoint de fait au sens de ce règlement,

(iii) elle n'a ni père, ni mère, ni tuteur légal au sens de ce règlement aux États-Unis.

Non-application — décret

6 Le présent décret ne s'applique pas :

a) à la personne qui est inscrite au registre des Indiens en vertu de la *Loi sur les Indiens*;

b) à la personne qui, selon l'administrateur en chef nommé en application du paragraphe 6(1) de la *Loi sur l'Agence de la santé publique du Canada*, ne présente pas de danger grave pour la santé publique;

c) à la personne protégée au sens du paragraphe 95(2) de la *Loi sur l'immigration et la protection des réfugiés*.

Pouvoirs et obligations

7 Il est entendu que le présent décret ne porte pas atteinte aux pouvoirs et aux obligations prévus par la *Loi sur la mise en quarantaine*.

Abrogation du C.P. 2020-0161

8 Le *Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance des États-Unis)* est abrogé.

Durée

9 Le présent décret s'applique pendant la période commençant à la date de sa prise et se terminant le 21 avril 2020.





The Canada Border Services Agency cannot process your application for refugee status as a result of Order-in-Council *"Minimizing the Risk of Exposure to COVID-19 Coronavirus Disease in Canada*.

The deferral of refugee claim submissions has been extended until 21 May 2020.

Only refugee claims at designated land/rail ports of entry that are found eligible under the Safe Third Country Agreement will be permitted to enter Canada. Upon entry to Canada, you will be required to undertake all quarantine or self-isolation procedures as directed by a screening or quarantine officer.

Please check the following website for updates and additional information: https://www.cbsa-asfc.gc.ca/refugee-asile-covid-eng.html

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L'Agence des services frontaliers du Canada ne peut recevoir votre demande d'asile dû au « *Décret visant la réduction du risque d'exposition à la maladie du coronavirus, la COVID-19, au Canada*.

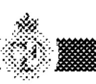
Le report de la présentation des demandes d'asile a été prolongé jusqu'au 21 mai 2020.

Seules les demandes d'asile présentées à des points d'entrée terrestres/ferroviaires désignés et jugées recevables en vertu de l'Entente sur les tiers pays sûrs seront autorisées à entrer au Canada. À votre entrée au Canada, vous devrez entreprendre toutes les procédures de quarantaine ou d'auto-isolement selon les directives d'un agent de contrôle ou de quarantaine.

Veuillez vérifier le site Web suivant pour toutes mises à jour et informations supplémentaires : https://www.cbsa-asfc.gc.ca/refugee-asile-covid-fra.html.







BULLETIN OPÉRATIONNEL : OBO-2020-XXX

TITRE : Intervention en lien avec la COVID-19 : Traitement des demandes d'asile à un point d'entrée terrestre ou ferroviaire désigné

Date d'émission :	Modes :	Public cible :	Domaine d'intérêt :
21 avril 2020	Terrestre et ferroviaire	Tous les agents qui administrent et appliquent la *LIPR*	National

Détails :

Les présentes instructions visent expressément les ressortissants étrangers qui présentent une demande d'asile à un point d'entrée (PDE) terrestre ou ferroviaire désigné. L'Entente entre le gouvernement du Canada et le gouvernement des États-Unis d'Amérique pour la coopération en matière d'examen des demandes d'asile présentées par des ressortissants de pays tiers (connu sous le nom d'Entente sur les tiers pays sûrs [ETPS]) continue de s'appliquer aux points d'entrée terrestres et ferroviaires pour les ressortissants étrangers qui cherchent à entrer au Canada pour y présenter une demande d'asile. Cette Entente s'applique, que le ressortissant étranger présente ou non des symptômes en lien avec la COVID-19.

Remarque : on continue généralement d'interdire l'entrée aux ressortissants étrangers qui cherchent à entrer par voie terrestre dans un lieu autre qu'un point d'entrée officiel, ou par voie aérienne ou maritime. Pour de plus amples informations et des instructions sur le traitement des arrivées selon ces trois modes, veuillez-vous référer au bulletin opérationnel: **Intervention en lien avec la COVID-19 – Ressortissants étrangers en provenance des États-Unis qui présentent une demande d'asile aux aéroports, aux ports maritimes et entre les points d'entrée**

Renseignements généraux

Ce décret (familièrement appelé OIC-11), intitulé Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance loi des États-Unis) – 3, est pris en vertu de l'article 58 de la *Loi sur la mise en quarantaine*.

Ce décret en conseil est en vigueur pour la période commençant le 22 avril 2020 (00h01) et se terminant le 21 mai 2020.



Le décret abroge et remplace le décret C.P 2020 – 0185 intitulé Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance loi des États-Unis) (appelé OIC-9), qui est entré en vigueur le 26 mars 2020.

L'OIC 11 crée des exceptions à l'interdiction générale d'entrer au Canada dans le but de présenter une demande d'asile. Plus précisément, le nouveau décret prévoit qu'il est interdit à un ressortissant étranger d'entrer au Canada dans le but de présenter une demande d'asile, sauf si le ressortissant étranger :

- cherche à entrer au Canada à un point d'entrée terrestre et ferroviaire désigné par le ministre de la Sécurité publique et de la Protection civile en vertu de l'article 26 du *Règlement sur l'immigration et la protection des réfugiés*;
    - est une personne visée par l'article 159.2, 159.5 ou 159.6 du *Règlement sur l'immigration et la protection des réfugiés*;
    - est un citoyen des États-Unis;
- cherche à entrer au Canada autrement qu'à un point d'entrée terrestre ou ferroviaire et est une personne qui est un citoyen des États-Unis, un apatride résidant habituellement aux États-Unis ou un mineur non accompagné et non marié sans parent ni tuteur légal aux États-Unis ;
- est une personne dont la présence au Canada est déterminée par le ministre de la Sécurité publique et de la Protection civile ou le ministre de la Citoyenneté et de l'Immigration comme étant dans l'intérêt national ou public, tout en reconnaissant les intérêts primordiaux du Canada et de sa population en matière de santé publique. ***(Ne s'applique pas actuellement aux points d'entrée terrestres et ferroviaires)***

Mesures requises par les agents et les délégués du ministre (DM) qui administrent et appliquent la *LIPR*

Les demandes d'asile seront soumises à la procédure de réception suivante :

1. Déterminez si le ressortissant étranger est symptomatique ou asymptomatique selon les instructions suivantes :
    - COVID-19 – Mesures frontalières renforcées à l'appui de la quarantaine obligatoire (voyageurs asymptomatiques) et de l'isolement obligatoire (voyageurs symptomatiques) (tous les modes de transport)
2. Effectuez un second contrôle :
    - déterminez si le ressortissant étranger répond à une exemption du décret et s'il est autorisé à présenter une demande;



- effectuez des recherches dans tous les systèmes applicables selon les procédures existantes;
- Présenter une demande d'asile dans le SMGC;
- recueillez les données biométriques;
- effectuez une évaluation préliminaire des risques afin d'évaluer l'éligibilité et, une fois l'évaluation effectuée, les options seront les suivantes :

Demande évaluée – Cas présentant un faible risque :

i. Le traitement des demandes d'entrée de ressortissant étranger en provenance des États-Unis qui présentent une demande d'asile, qui sont jugées « à faible risque » et qui semblent satisfaire à une exemption ou à une exception en vertu de l'ETPS.
ii. Une fois le processus d'accusé de réception de la demande terminé, le demandeur est autorisé à entrer pour un examen complémentaire afin de terminer le traitement de la demande d'asile (BSF536).

Demande évaluée – Cas présentant un risque élevé/complexe :

i. Achèvement par l'ASFC au PDE ou à un autre emplacement de l'ASFC une fois le processus d'accusé de réception de la demande terminé, en tenant compte des conditions appropriées pour assurer la conformité.
ii. Les considérations relatives à l'arrestation et à la détention (A55) doivent être prises en compte à l'aide du document Temporary Measures to Guide Decisions to Detain and Consideration of Alternatives to Detention.

Remarque : les agents des PDE sont responsables de la reprise du traitement des demandes conformément aux procédures et modèles de traitement régionaux. Si un demandeur demande que sa demande soit traitée dans un autre bureau de l'ASFC, il incombe à l'agent du PDE initial de coordonner la reprise du traitement avec le bureau de traitement préféré du demandeur.

Si un agent du PDE décide de terminer le processus de demande du réfugié au moment de leur arrivée, tous les protocoles visant à garantir la santé et la sécurité des agents et des demandeurs doivent être respectés.



Pour les demandes jugées irrecevables, une mesure de renvoi sera prise comme suit :

i. **101 (1)e) ETPS :** immédiatement;

ii. **Autres motifs d'inéligibilité – non lié à l'ETPS :** sept (7) jours;

iii. **101 (1)c.1) :** sept (7) jours avec un ERAR accéléré dans les 30 jours par IRCC;

iv. **101 (1)d) :** sept (7) jours avec une évaluation accélérée des risques pour le *non-refoulement* dans les 30 jours;

v. **cas 101 (1)f) :** suspendre l'éligibilité avant de renvoyer à la Section de la protection des réfugiés pour attendre La décision d'une enquête ou d'une procédure judiciaire pénale au Canada.

Remarque : Les demandes des ressortissants étrangers jugés non admissibles en vertu de l'ETPS doivent être retirées et les personnes doivent être renvoyées aux États-Unis immédiatement, conformément à l'article 48 (2) de la *LIPR*.

Procédures après le traitement de la demande

Les ressortissants étrangers qui sont autorisés à présenter une demande d'asile au Canada pendant que le décret est en vigueur sont soumis aux mêmes exigences que tous les autres voyageurs, comme le décrit le décret 10 (OIC 10). Les agents sont tenus de suivre le processus décrit dans le lien suivant :

COVID-19 – Mesures frontalières renforcées à l'appui de la quarantaine obligatoire (voyageurs asymptomatiques) et de l'isolement obligatoire (voyageurs symptomatiques) (tous les modes de transport)

Transfert aux organismes destinataires

Une fois le traitement au point d'entrée terminé, si une personne a besoin de transport et d'hébergement, on doit contacter les employés des services suivants selon que la personne est asymptomatique ou symptomatique.

Voyageurs asymptomatiques - Immigration, Réfugiés et Citoyenneté Canada

Kathryn Jarrett-Ekholm
613-769-5105

Voyageurs symptomatiques - Agence de la santé publique du Canada

Ligne centrale de notification de l'ASPC
1-833-615-2384
phac.cns-snc.aspc@canada.ca



Processus de notification

Les agents des PDE doivent informer le Service de gestion des cas de l'ASFC de tous les ressortissants étrangers qui sont renvoyés aux États-Unis ou qui sont autorisés à entrer au Canada car ils répondent à une exception en vertu de la loi sur la quarantaine et de décret. Les responsables de la gestion des cas peuvent être avisés par courriel (Case-Management@cbsa-asfc.gc.ca) en indiquant l'objet suivant : « Intervention en lien avec la COVID-19 : — demandeur d'asile UCI : 11-XXXX-XXXX ». Le message doit également indiquer si les coordonnées actuelles (numéro de téléphone et adresse électronique) de chaque demandeur d'asile se trouvent dans leur dossier.

Ce qui précède s'ajoute aux processus de notification régionaux établis.

Personne accusée ou reconnue coupable d'une infraction passible de la peine de mort

Les PDE doivent informer le Centre des Opérations Frontalières immédiatement et avant toute décision ou action prise à l'égard d'un étranger qui a été accusé ou reconnu coupable d'une infraction passible de la peine de mort, aux États-Unis ou dans un autre pays. La charge de la preuve incombe au demandeur d'asile qui doit prouver qu'il serait soumis à la peine de mort.

Gestion régionale

Les superviseurs et gestionnaires régionaux veilleront à ce que les instructions ci-dessus soient mises en œuvre immédiatement, et seront responsables des pratiques régionales exemplaires et de la conduite de l'assurance qualité.

Ressources

Pour obtenir des instructions supplémentaires sur l'évaluation des voyageurs asymptomatiques et symptomatiques, ainsi que des cas où aucune exception à l'interdiction ne s'applique, veuillez consulter l' l'OBO-2020-021 Modifications réglementaires pour la mise en œuvre des interdictions de voyager en réponse à la pandémie COVID-19 ou le bulletin d'information de quart de travail portant ce titre : COVID-19 – Mesures frontalières renforcées à l'appui de l'auto-isolement obligatoire (tous les modes).

Coordonnées des personnes-ressources



Toute question concernant ce bulletin doit être envoyée à l'adresse électronique suivante : Agents des services frontaliers : Si vous avez des questions, veuillez les transmettre au bureau régional de la Division des services corporatifs et des programmes, qui (au besoin) enverra un courriel à la boîte de réception générique des Opérations liées aux voyageurs : **ops_travellers-voyageurs@cbsa-asfc.gc.ca**. **Approuvé par :** **John Ommanney, directeur général** **Direction générale des voyageurs** **Christian Lorenz, directeur général** **Direction générale du renseignement et de l'exécution de la loi**	
Date d'entrée en vigueur :	**Mise à jour :**

Autres bulletins :







BULLETIN OPÉRATIONNEL :

TITRE : Intervention en lien avec la COVID-19 – Ressortissants étrangers en provenance des États-Unis qui présentent une demande d'asile aux aéroports, aux ports maritimes et entre les points d'entrée.

Date de publication :	Mode(s) :	Public cible :	Domaine d'intérêt :
2020-04-21	Tous	Tous les agents qui administrent et appliquent la *LIPR*	National

Détails :

Les présentes instructions sont spécifiques aux autorités de retour immédiat pour les ressortissants étrangers arrivant des États-Unis qui demandent l'asile à des points d'entrée aériens et maritimes désignés et pour ceux qui entrent au Canada entre deux points d'entrée.

Ce décret (familièrement appelé OIC-11), intitulé Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance loi des États-Unis) – 3, est pris en vertu de l'article 58 de la *Loi sur la mise en quarantaine*.

Ce décret en conseil est en vigueur pour la période commençant le 22 avril 2020 (00h01) et se terminant le 21 mai 2020.

Le décret abroge et remplace le décret C.P 2020 – 0185 intitulé Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance loi des États-Unis) (appelé OIC-9), qui est entré en vigueur le 26 mars 2020.

Renseignements généraux

Afin de renforcer l'autorité du ministre de la Sécurité publique et de la Protection civile pour répondre aux situations d'urgence qui ont une incidence temporaire à la frontière, une nouvelle disposition de retour immédiat en vertu de l'alinéa 41 d) du *RIPR* a été adoptée. Cette modification permet à un agent de renvoyer un ressortissant étranger interdit conformément à un décret ou un règlement d'urgence pris en vertu de la *Loi sur la mise en quarantaine* ou de la *Loi sur les mesures d'urgence*.



L'OIC 11 crée des exceptions à l'interdiction générale d'entrer au Canada dans le but de présenter une demande d'asile. Plus précisément, le nouveau décret prévoit qu'il est interdit à un étranger d'entrer au Canada dans le but de présenter une demande d'asile, sauf si le ressortissant étranger :

- cherche à entrer au Canada à un point d'entrée terrestre et ferroviaire désigné par le ministre de la Sécurité publique et de la Protection civile en vertu de l'article 26 du *Règlement sur l'immigration et la protection des réfugiés*;
    - est une personne visée par l'article 159.2, 159.5 ou 159.6 du *Règlement sur l'immigration et la protection des réfugiés*;
    - est un citoyen des États-Unis;
- cherche à entrer au Canada autrement qu'à un point d'entrée terrestre ou ferroviaire et est une personne qui est un citoyen des États-Unis, un apatride résidant habituellement aux États-Unis ou un mineur non accompagné et non marié sans parent ni tuteur légal aux États-Unis;
- est une personne dont la présence au Canada est déterminée par le ministre de la Sécurité publique et de la Protection civile ou le ministre de la Citoyenneté et de l'Immigration comme étant dans l'intérêt national ou public, tout en reconnaissant les intérêts primordiaux du Canada et de sa population en matière de santé publique.
    - Plus précisément, les ministres exemptent les personnes suivantes de l'application du décret :
    - les ressortissants étrangers qui déposent une demande d'asile à un point d'entrée aérien ou maritime et qui ne peuvent être immédiatement renvoyés aux États-Unis;
    - les ressortissants étrangers qui pourraient être soumis à la peine de mort dans n'importe quel pays.
      Veuillez vous reporter au processus de notification ci-dessus pour obtenir des instructions sur le traitement des cas.

Mesures requises par les agents et les délégués du ministre (DM) qui administrent et appliquent la *LIPR*

Pour tous les retours immédiats de ressortissants étrangers présentant une demande d'asile à un PDE désigné (voie aérienne ou maritime) ou entre les PDE, les agents seront responsables d'initier et de compléter ce qui suit :

- effectuer des recherches dans tous les systèmes applicables selon les procédures existantes;



- création d'examens et de demandes d'asile pour une admission rapide dans le Système mondial de gestion des cas (SMGC);
- collecte de données biométriques;
- BSF 505 – Ordre de retour aux États-Unis et l'agent sélection de « aucun agent n'est en mesure de compléter l'examen » dans le formulaire.
- mettre à jour l'écran du Retour immédiat dans le SMGC en sélectionnant l'option « R41d) – *Loi sur les mesures d'urgence/mise en quarantaine* »;
- Avis au transporteur (BSF 502), le cas échéant;
- avis de retour immédiat à l'USCBP en utilisant les procédures locales établies;
- notes détaillées dans l'onglet d'examen du SMGC. Les notes doivent indiquer le PDE ou le point de passage irrégulier lors de l'arrivée. Cela permettra aux agents qui reprendront le traitement du dossier de comprendre quelle méthode de traitement s'applique. Les agents des points d'entrée doivent tenir une liste de tous les ordres de retour immédiat; la liste devrait refléter les renseignements contenus dans l'écran du Retour immédiat du SMGC et inclure l'UCI, le statut du client aux États-Unis, le nom ou les noms et les coordonnées actuelles (numéro de téléphone et adresse courriel) de chaque demandeur.

Exception : Un retour immédiat ne devrait pas être ordonné si les ressortissants étrangers présentent des symptômes et arrivent des États-Unis par un moyen de transport commercial ou public (transport aérien ou maritime). Ces personnes doivent être orientées vers l'ASPC et s'auto-isoler (en fonction de la gravité de leurs symptômes et de l'existence de préoccupations quant à leur capacité à s'isoler). Cela ne s'applique pas aux ressortissants étrangers qui arrivent des États-Unis par moyen de transport personnel (c.-à-d. qu'ils ne posent pas de risque aux autres voyageurs) – ils peuvent être renvoyés immédiatement aux États-Unis.

Les ressortissants étrangers qui peuvent entrer pour faire une demande d'asile conformément au paragraphe 5 (1) ou 5 (2) du décret peuvent entrer même s'ils sont symptomatiques et devront être dirigés vers les agents de quarantaine de l'ASPC, quel que soit le mode ou le lieu d'entrée.

Les demandes d'asile seront soumises à la procédure de réception suivante :

- Déterminez si le ressortissant étranger est symptomatique ou asymptomatique selon les instructions suivantes :

- COVID-19 – Mesures frontalières renforcées à l'appui de la quarantaine obligatoire (voyageurs asymptomatiques) et de l'isolement obligatoire (voyageurs symptomatiques) (tous les modes de transport)

- Effectuez un second contrôle :

    - déterminez si le ressortissant étranger répond à une exemption du décret et s'il est autorisé à présenter une demande;



- effectuez des recherches dans tous les systèmes applicables selon les procédures existantes;
- Création des cas de Control et Dem-Ref pour le consommation rapide;
- recueillez les données biométriques;
- effectuez une évaluation préliminaire des risques afin d'évaluer l'éligibilité et, une fois l'évaluation effectuée, les options seront les suivantes :

Demande évaluée – Cas présentant un faible risque :

i. Le traitement des demandes d'entrée de ressortissant étranger en provenance des États-Unis qui présentent une demande d'asile, qui sont jugées « à faible risque » et qui semblent satisfaire à une exemption ou à une exception en vertu de l'ETPS.
ii. Une fois le processus d'accusé de réception de la demande terminé, le demandeur est autorisé à entrer pour un examen complémentaire afin de terminer le traitement de la demande d'asile (BSF536).

Demande évaluée – Cas présentant un risque élevé/complexe :

i. Achèvement par l'ASFC au PDE ou à un autre emplacement de l'ASFC une fois le processus d'accusé de réception de la demande terminé, en tenant compte des conditions appropriées pour assurer la conformité.
ii. Les considérations relatives à l'arrestation et à la détention (A55) doivent être prises en compte à l'aide du document Mesures temporaires visant à guider la décision de placer en détention et examen des solutions de rechange à la détention.

Remarque : les agents des PDE sont responsables de la reprise du traitement des demandes conformément aux procédures et modèles de traitement régionaux. Si un demandeur demande que sa demande soit traitée dans un autre bureau de l'ASFC, il incombe à l'agent du PDE initial de coordonner la reprise du traitement avec le bureau de traitement préféré du demandeur.

Si agent du PDE décide de terminer le processus de demande du réfugié au moment de leur arrivée, tous les protocoles visant à garantir la santé et la sécurité des agents et des demandeurs doivent être respectés.

Pour les demandes jugées irrecevables, une mesure de renvoi sera prise comme suit :

i. **101 (1)e) ETPS :** immédiatement;
ii. **Autres motifs d'inéligibilité – non lié à l'ETPS :** sept (7) jours;



iii. **101 (1)c.1) :** sept (7) jours avec un ERAR accéléré dans les 30 jours par IRCC;

iv. **101 (1)d) :** sept (7) jours avec une évaluation accélérée des risques pour le *non-refoulement* dans les 30 jours;

v. **cas 101 (1)f) :** suspendre l'éligibilité avant de renvoyer à la Section de la protection des réfugiés pour attendre La décision d'une enquête ou d'une procédure judiciaire pénale au Canada.

Remarque : Les demandes des ressortissants étrangers jugés non admissibles en vertu de l'ETPS doivent être retirées et les personnes doivent être renvoyées aux États-Unis immédiatement, conformément à l'article 48 (2) de la *LIPR*.

Procédures après le traitement de la demande

Les ressortissants étrangers qui sont autorisés à présenter une demande d'asile au Canada pendant que le décret est en vigueur sont soumis aux mêmes exigences que tous les autres voyageurs, comme le décrit le décret 10 (OIC 10). Les agents sont tenus de suivre le processus décrit dans le lien suivant :

COVID-19 – Mesures frontalières renforcées à l'appui de la quarantaine obligatoire (voyageurs asymptomatiques) et de l'isolement obligatoire (voyageurs symptomatiques) (tous les modes de transport)

Transfert aux organismes destinataires

Une fois le traitement au point d'entrée terminé, si une personne a besoin de transport et d'hébergement, on doit contacter les employés des services suivants selon que la personne est asymptomatique ou symptomatique.

Voyageurs asymptomatiques - Immigration, Réfugiés et Citoyenneté Canada

Kathryn Jarrett-Ekholm
613-769-5105

Voyageurs symptomatiques - Agence de la santé publique du Canada

Ligne centrale de notification de l'ASPC
1-833-615-2384
phac.cns-snc.aspc@canada.ca

Processus de notification

Les agents des PDE doivent informer le Service de gestion des cas de l'ASFC de tous les ressortissants étrangers qui sont renvoyés aux États-Unis ou qui sont autorisés à



entrer au Canada car ils répondent à une exception en vertu de la loi sur la quarantaine et de décret. Les responsables de la gestion des cas peuvent être avisés par courriel (Case-Management@cbsa-asfc.gc.ca) en indiquant l'objet suivant : « Intervention en lien avec la COVID-19 : — demandeur d'asile UCI : 11-XXXX-XXXX ». Le message doit également indiquer si les coordonnées actuelles (numéro de téléphone et adresse électronique) de chaque demandeur d'asile se trouvent dans leur dossier.

Ce qui précède s'ajoute aux processus de notification régionaux établis.

Personne accusée ou reconnue coupable d'une infraction passible de la peine de mort

Les PDE doivent informer le Centre des Opérations Frontalières immédiatement et avant toute décision ou action prise à l'égard d'un étranger qui a été accusé ou reconnu coupable d'une infraction passible de la peine de mort, aux États-Unis ou dans un autre pays. La charge de la preuve incombe au demandeur d'asile qui doit prouver qu'il serait soumis à la peine de mort.

Date de retour pour le retour immédiat

De manière générale, les renvois immédiats seront ordonnés selon une date et une heure précises pour le retour du ressortissant étranger au PDE en vue d'un traitement ultérieur. Pendant la durée des interventions en lien avec la COVID-19, les agents sont tenus de fournir le document *Asylum handout COVID19* à tous les ressortissants étrangers qui demandent l'asile et qui sont renvoyés. Les agents demanderont à tous les demandeurs d'asile renvoyés de consulter le *site Web de l'ASFC* pour obtenir des renseignements à jour sur la date à laquelle ils devraient revenir au Canada. Il est important que les demandeurs d'asile renvoyés soient clairement informés que cela ne signifie pas que leur demande d'asile ne sera pas évaluée, mais plutôt qu'elle est seulement retardée jusqu'à ce que le décret soit levé. Une fois que le décret aura été levé, des dispositions seront prises pour la reprise de l'examen des demandes d'asile.

Pour plus de clarté, ces modifications réglementaires n'ont aucune incidence sur les mécanismes de recours actuellement disponibles en ce qui concerne l'application des lois sur l'immigration. Elles n'ont pas non plus d'incidence sur les personnes ayant déjà obtenu le statut de personne protégée en vertu du paragraphe 95 (2) de la *LIPR* et cherchant à rentrer au Canada.

Interceptions et retours des États-Unis au Canada

Toutes les personnes cherchant à faire une demande d'asile aux États-Unis et interceptées alors qu'elles cherchaient à entrer dans un endroit autre qu'un PDE, ou qu'elles entraient dans un PDE américain, seront renvoyées au bureau de l'ASFC le plus proche. Le point d'entrée de l'ASFC doit accepter le retour du ressortissant étranger; un agent doit procéder à une évaluation au cas par cas et toutes les



options disponibles peuvent être prises en considération lorsqu'il accepte le retour de la personne de la part des autorités américaines.

Une fois que les mesures frontalières entre le Canada et les États-Unis sont levées, les autorités américaines doivent contacter la personne et lui conseiller de retourner aux États-Unis pour la suite du traitement.

Renseignements supplémentaires

iii. Les considérations relatives à l'arrestation et à la détention (A55) doivent être prises en compte à l'aide du document Mesures temporaires visant à guider la décision de placer en détention et examen des solutions de rechange à la détention.

- Pour obtenir de plus amples renseignements sur les ressortissants étrangers symptomatiques ou asymptomatiques, reportez-vous à la séance d'information lors du quart de travail intitulée Limiter les voyages non essentiels au Canada des citoyens américains et d'autres ressortissants étrangers qui arrivent des États-Unis par voie terrestre, ferroviaire, maritime et par traversier.
- Les coordonnées des centres d'opérations de quarantaine de l'Agence de santé publique du Canada se trouvent à l'annexe B (Centres d'opérations de quarantaine) du Manuel d'application de la loi 4 (Examen du point d'entrée).
- Des directives supplémentaires sur la liaison avec l'Agence de la santé publique du Canada figurent dans le Manuel de traitement des personnes, Partie 8, chapitre 5.2.
- Des instructions supplémentaires sur le traitement au point d'entrée se trouvent dans le manuel d'application de la loi 4.
- Des directives supplémentaires sur la rédaction des rapports A44 (1) et sur l'examen par les délégués du ministre en vertu de l'A44 (2) se trouvent dans les manuels d'application de la loi 5 et 6, respectivement.
- Bulletin opérationnel : PRG-2015-34 – Transport de personnes non détenues dans des véhicules de l'Agence tout en administrant la législation frontalière de l'ASFC.

Gestion régionale

Les superviseurs et gestionnaires régionaux veilleront à ce que les instructions ci-dessus soient mises en œuvre immédiatement, et seront responsables des pratiques régionales exemplaires et de la conduite de l'assurance qualité.

Coordonnées des personnes-ressources

Toute question concernant ce bulletin doit être envoyée à l'adresse électronique suivante :

Agents des services frontaliers Si vous avez des questions, veuillez les transmettre au bureau régional de la Division des services corporatifs et des



programmes, qui (au besoin) enverra un courriel à la boîte de réception générique des Opérations liées aux voyageurs : CBSA-ASFC_Ops_Travellers-Voyageurs

Approuvé par :

John Ommanney, directeur général
Direction générale des voyageurs

Christian Lorenz, directeur général
Direction générale du renseignement et de l'exécution de la loi

Date d'entrée en vigueur :	**Mise à jour :**

Autres bulletins :



Canada Border Services Agency | Agence des services frontaliers du Canada



FOR CBSA EYES ONLY

COVID-19 Prohibition of Entry into Canada – Number 2 FAQs
Guidance for Liaison Officers

Q1: When does this ban take effect?
A1: The travel ban comes into effect on March 21, 2020 at 12:01am EDT and ends on April 21, 2020 at 12:00pm (noon) EDT.

Q2: What does this ban cover?
A2: This ban applies to entry to Canada by foreign nationals from the United States for any optional or discretionary reason. This ban also applies to people entering Canada for the purpose of claiming refugee status and anyone displaying symptoms of Covid-19.

Q3: Does this applies to all foreign nationals?
A3: No, permanent residents are not affected by this ban. All other foreign nationals, including TRV holders and stateless persons.

Q4: What is considered "optional or discretionary reason"?
A4: Tourism, recreation and entertainment are considered optional or discretionary.

Q5: Are there any exceptions?
A5: Yes, there are. The ban does not apply to:

- Anyone registered as an Indian under the *Indian Act;*
- Anyone the Chief Health Officer deems of no risk to public health;
- Anyone who has already been granted protected person status under IRPA; and
- Anyone arriving by air, if the scheduled arrival time was before 11:59am EDT on March 21, 2020.
    - However, the existing travel ban remains in effect; the only foreign nationals who may enter Canada by air are those who are coming from the US who have been in the US or Canada continuously for at least 14 days prior to their arrival in Canada.

Q6: What happens if a foreign national arrives at the border and tries to make a refugee claim?
A6: They will be refused entry and have to return to the last point of departure.

Q7: If someone coming from the US tries to make a refugee claim and gets turned back, will they be allowed back into the US?
A7: Yes, for the duration of this ban, the US will accept all persons refused entry to Canada from the US.

Q8: Are there any exceptions to the ban on refugee claims?



A8: Yes, as follows:

- US nationals;
- Parents or legal guardians of any US nationals under the age of 18;
- Anyone
    - under the age of 18 and not accompanied by a parent or legal guardian;
    - has no spouse or common-law partner; and
    - has no parent of legal guardian.

Bitsene, Jonathan

From: Dakalbab, Talal
Sent: Thursday, March 26, 2020 2:13 PM
To: CBSA-ASFC_International_Networks-Réseaux_Internationaux
Cc: CBSA.O Strategic-IR LOA / Strategique-RI AAL O.ASFC
Subject: COVID-19: Travel Restrictions Notice and Q&As / Avis de restriction de voyage et Q-R
Attachments: FINAL General Questions and Answers IO3-OiC7-OiC8-OiC9.pdf; FINAL World-CAN Dashboard.pdf; FINAL Dashboard for travel from the United States to Canada.pdf; 2020-185.pdf; 2020-184.pdf; 81200-2-525-DATED.pdf

Hello,

In response to the COVID-19 related travel restrictions to Canada, please find attached two dashboards (one for US-CAN and one for World-CAN travel) to guide Liaison Officers in the application of these restrictions, and can be shared with airlines.

Additionally, we have attached a revised Q&A package, **for internal use only**, to answer your general questions related to COVID-19 travel restrictions.

You will also find attached Orders 7, 8 and 9 which now are into force, and the link to Interim Order 3.

If you have questions or require additional information please let us know and we will action accordingly.

Thank you,

==========================

En réponse aux restrictions de voyage liées au COVID-19 au Canada, veuillez trouver ci-joint un guide pour les agents de liaison dans l'application de ces restrictions, qui peut être partagé avec les compagnies aériennes.

De plus, veuillez trouver ci-joint un ensemble de questions et réponses révisé, **pour usage interne seulement**, pour répondre aux questions relatives aux restrictions de voyage COVID-19.

Vous trouverez ci-joints les Décrets 7, 8 et 9 qui sont effectifs immédiatement ainsi que le lien pour l'Arrêté d'urgence no 3.

Laissez-moi savoir si vous avez des questions.

Merci.

Talal Dakalbab
Director General
International Policy and Partnerships
Strategic Policy Branch
Canada Border Services Agency | Government of Canada
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Canada Border Services Agency | Agence des services frontaliers du Canada



FOR CBSA EYES ONLY

COVID-19 TRAVEL BAN FAQs
Guidance for Liaison Officers

This document is used to provide additional guidance to Liaison Officers related to:
Interim Order 3
Order in Council 7
Order in Council 8
Order in Council 9

Additional guidance will be provided on new Orders as they are signed by the appropriate authority.

Given the growing complexity of the Orders being provided to LOs, we have developed two dashboard to be used as your main guidance tool but general questions, not related to a specific ban or related to definitions will be kept in this document.

GENERAL – Questions and Answers:

G – Q1: Are unaccompanied minors allowed to board?
G – A1: Yes, if they are exempted or if they hold a consular letter.

G – Q2: What recourse do people have if they have previously booked tickets and are no longer allowed to board flights to Canada?
G – A2: The LO should refer the passenger to the airline.

G – Q3: What role do CBSA LOs play in keeping non-citizens and non-exempted travellers from boarding flights to Canada?
G – A3: LOs operate in an advisory capacity to airlines and immigration partners on passenger documentation. They will work remotely with airlines and other partners responsible for document screening of Canada-bound travellers to ensure that passengers seeking to board a flight to Canada are properly documented. LOs will not be actively seeking out travellers who are not eligible to fly to Canada under the new ban. The final decision on whether to board a traveller rests with the airline. We expect LOs to actively monitor their business lines to support airlines as we transition to the new border measures.

G – Q4: Will LOs be identifying symptomatic passengers?
G – Q4: No. CBSA LOs are not medical professionals. Air operators will be required to do a basic health assessment of all air travellers before they board the flight based on guidance from the Public Health Agency of Canada. This would include the operator asking simple health questions, looking for visible signs of illness prior to boarding, and possibly referring the traveller for a further medical assessment.



FOR CBSA EYES ONLY

In the event the traveller presents COVID-19 symptoms, the air carrier will be required to refuse to board the passenger for travel for a period of 14 days. Should the traveller still wish to board a flight to Canada after 14 days, they must demonstrate that they are non-symptomatic, or have a medical certificate that confirms the patient does not carry the virus.

G – Q5: Will LOs be expected to facilitate Canadians with no/expired documents?
G – A5: Operational Bulletin PRG-2013-26 will continue to apply regarding facilitation of Canadians. It will remain up to the LO's judgement whether to recommend to an airline that a person is properly documented. In simple terms, if an LO is satisfied that a traveller is a Canadian citizen, they should facilitate the traveller. The port of entry should be notified of the inbound travellers to avoid complications on arrival.

G – Q6: What role does the Air Carrier Support Centre (ACSC) play in enforcing the restrictions?
G – A6: The role of the ACSC remains a supportive one to airlines. ACSC officers are expected to familiarize themselves with the travels bans and with these Qs&As and to provide guidance to airlines on the application of the restrictions. Officers from the ACSC should only refer the airlines to LOs if they cannot answer a question with the information they have, or if more interpretation is needed.

G – Q7: Will CBSA LOs be working out of airports more than usual to assist airlines?
G – A7: Guidance from managers and local security programs should be sought and any local travel restrictions/telework advisories currently in place at mission should be respected. Additionally, LOs should refer to Government of Canada advisories and policies related to essential work.

G – Q8: How long will these restrictions be in place?
G – A8: These restrictions are subject to change, LOs will be advised accordingly.

G – Q9: Will the CBSA be issuing direct formal messaging to airlines?
G – A9: Transport Canada is the lead interlocutor for the Government of Canada with airlines. The CBSA may transmit formal messages via Transport Canada.

G – Q10: Is overtime (OT) approved for dealing with queries and cases relating to this regulation?
G – A10: OT will be approved as per collective agreements in place. Internal order (IO) number 724512 has been established for work relating to COVID-19. Please consult your manager for additional information.

G – Q11: Do we have lines for dealing with Consular and IRCC at mission?
G – A11: As Government of Canada partners, GAC and IRCC have lines already relating to these restrictions. Should CBSA Communications provide speaking lines, they will be transmitted to Liaison Officers.



FOR CBSA EYES ONLY

G – Q12: Will this ban impact removals?
G – A12: Removals have been stopped. Note that the removal of serious criminal cases may continue but this would be via exception only, following a case-by-case assessment by senior staff. Clients who currently have removals scheduled should expect to hear from the CBSA in the coming days to confirm cancellation of removal and be advised of next steps. Those who wish to depart Canada voluntarily despite the current global pandemic, may do so.

G – Q13: Will PRs with expired or missing PR cards be allowed to travel?
G – A13: LOs should use their discretion and facilitate whenever possible. If an LO is satisfied that a traveller with an expired PR card or no PR card on hand is a *bona fide* PR, facilitation should be encouraged, especially if the expiry date is recent and after verifying the identity of the individual.

G – Q14. Can a letter from a hospital be accepted instead of a letter from a consular officer?
G – A14. No.

G – Q15: Are Transit Without Visa (TWOV) / China Transit Program (CTP) passengers exempted from the travel ban?
G – A15: Yes, however the following must be noted:

- The United States (US) has instituted travel bans on any non-US citizens or US PR travellers who have been in certain countries in the past 14 days.
- Any TWOV or CTP passengers attempting to transit Canada to the US who have been in any of the designated countries will not be allowed to continue on to the US.
- As with other transit passengers under the ban, they cannot leave the airport-their flights must be continuous.

G – Q16: Are foreign nationals in possession of a valid immigrant visa (landing papers), who are seeking to become a permanent resident in Canada, allowed to board a flight to Canada?
G – A16: at this time, foreign nationals in possession of a valid immigrant visa/landing papers are not allowed to board unless they also meet the criteria of one of the exemptions above.

Additionally, you should encourage students and temporary workers to monitor IRCC Government of Canada website to ensure they have the most up-to-date information of when they may be allowed to come to Canada for the purposes of studying and/or working as the situation is fluid.

G – Q17: Are all transiting passengers allowed to board?
G – A17: No, only direct transiting passengers should be allowed to board (i.e. passengers whose transit allows them to remain in the same airport). Terminal to terminal transfer is allowed.



FOR CBSA EYES ONLY

G – Q18: How do I determine what is considered "non-essential" and essential travel?
G – A18: Non-essential travel is defined as travel for the purposes of tourism, recreation and entertainment, but not limited to these specific examples.

Essential travel is defined, but is not limited to, travel for the purposes of: economic services and supply chains; critical infrastructure support; health (immediate medical care), safety and security; transiting through Canada for essential purposes; indigenous communities; cross-border employment; tending to family matters for essential purposes; and shopping for essential goods such as medication or basic needs, work and study.

G – Q19: Who is considered to be an immediate family member according to Order 6?
G – A19: To be considered an immediate family member you must be:

- (1) spouse/common-law partner of the person;
- (2) a dependent child of the person or of their spouse/common-law partner;
- (3) a dependent child of a dependent child of the person or their spouse/common-law partner;
- (4) a parent/step-parent of the person or of their spouse/common-law partner; or
- (5) the guardian/tutor of a person.

G – Q20: Will immediate family members not already in possession of a Temporary Resident Visa be permitted to apply for one?
G – A20: Yes, note that Immigration, Refugees and Citizenship Canada offices have limited operations but remain open.

G – Q21: How extensively should Liaison Officers (LO) attempt to verify relationship?
G – A21: In terms of verification, due diligence should be performed. If an LO is contacted by an air carrier for advice, and is satisfied of the relationship through passenger interview or any documentation presented (birth certificates, marriage certificates, bills, etc.), no further verification is needed. If there are any doubts or concerns, or there is no supporting documentation presented, GCMS checks could be conducted.

G – Q22: What is the age cut-off for dependent children?
G – A22: To be considered a dependent child (**OR** a dependent child of a dependent child), the child must be:

- 21 years old or younger and not have a spouse or common-law partner; or
- 22 years old or older, have been financially dependent on the parent(s) since before turning 22, and be physically and/or mentally unable to support him or herself financially.

G – Q23: Does the Canadian citizen or PR need to be accompanying the immediate family member to be exempt?
G – A23: No, immediate family members do not need to be accompanied by the Canadian or PR.



FOR CBSA EYES ONLY

G – Q24: Are deadheading air crew and seafarers entering Canada to join a marine vessel as crew members included in the exemptions?
G – A24: Yes.

G – Q25: Does the ban apply to diplomats?
G – A25: Diplomats that have been issued an accreditation counterfoil by GAC are exempted. All others are subject to the travel ban.

G – Q26: How can you determine if some is a guardian or tutor?
G – A26: in order to qualify as a guardian/tutor, they should be able to demonstrate that they habitually reside at the same address as the minor.

G – Q27: Are the immediate family members of someone with a student or work permit allowed to come to Canada?
G – A27: No, family members of workers and students are not exempt unless they are also immediate family members of Canadian Citizen or Permanent Resident, or unless family reunification clause applies (with written authorization from GAC/IRCC).

Bitsene, Jonathan

From: Prémont, Jean-Christian
Sent: Tuesday, March 24, 2020 12:57 PM
To: Sangalli, Sebastian
Subject: FW: COVID-19: Travel Restrictions Notice and Q&As / Avis de restriction de voyage et Q-R
Attachments: FINAL Order 5-6 Ban Qs&As.pdf; FINAL ENG-FR Order 5 One-Pager.pdf; FINAL ENG-FR Order 6 One-Pager.pdf

Jean-Christian Prémont

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From: Dakalbab, Talal
Sent: March 22, 2020 1:52 PM
To: CBSA-ASFC_International_Networks-Réseaux_Internationaux
Cc: CBSA.O Strategic-IR LOA / Strategique-RI AAL O.ASFC
Subject: COVID-19: Travel Restrictions Notice and Q&As / Avis de restriction de voyage et Q-R

Hello,

In response to the COVID-19 related travel restrictions to Canada, please find attached a one-pager to guide Liaison Officers in the application of these restrictions, and can be shared with airlines.

Additionally, we have attached a revised Q&A package, **for internal use only**, to answer your questions related to Order 5/6 and general questions related to COVID-19 travel restrictions.

If you have questions or require additional information please let us know and we will action accordingly.

Thank you,

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En réponse aux restrictions de voyage liées au COVID-19 au Canada, veuillez trouver ci-joint un avis pour guider les agents de liaison dans l'application de ces restrictions, et peut être partagé avec les compagnies aériennes.

De plus, veuillez trouver ci-joint un ensemble de questions et réponses révisé, **pour usage interne seulement**, pour répondre à vos questions relatives à la commande 5/6 et aux questions générales relatives aux restrictions de voyage COVID-19.

Laissez-moi savoir si vous avez des questions.

Merci.

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Canada Border Services Agency   Agence des services frontaliers du Canada



Optional / Discretionary Travel to Canada - 21 April 2020

In its ongoing effort to contain the global spread of COVID-19 , the Government of Canada is clarifying air carrier responsibilities and obligations in relation to boarding foreign national passengers to Canada, pursuant to the *Minimizing the Risk of Exposure to COVID-19 in Canada Orders*.

- **All foreign nationals seeking to travel to Canada must be travelling to Canada for an essential purpose.** Travel must not be for an optional or discretionary purpose, such as tourism, sightseeing, recreation, entertainment, social visits and religious functions.
- All travelers must answer the Transport Canada mandated Health Check questions and confirm that they have in their possession a removable non-medical mask or face covering.
- Travelers must be able to comply with mandatory isolation requirements.
- Travelers must also satisfy all other document requirements for travel to Canada.
- The following clarifications do not apply to Canadian citizens, Canadian permanent residents, registered Indians and protected persons.

Below you will find scenarios to assist you in determining whether the foreign national's travel is essential. This list is not exhaustive and is intended as a guide for carriers and their subcontracted document screeners. **CBSA Liaison Officers remain available for consultation.**

Scenario		Considerations	Recommendation
Foreign National: Work Permit	Foreign National currently holding a valid Work Permit whose primary residence is in Canada.	The person is established, residing and working in Canada.	**Essential – Boarding is recommended**
	Foreign National, without a Work Permit, presenting a Letter of Approval, issued by Immigration Refugees and Citizenship Canada (including International Experience Canada working holidays).	The person has an employment offer and will work immediately upon arriving in Canada.	**Essential – Boarding is recommended**
		The person does not have an employment offer or does not have a plan to work immediately upon arrival in Canada.	**Not essential – Boarding is not recommended**
Foreign National: Study Permit	Foreign National currently holding a valid Study Permit	The person is established, residing and studying in Canada.	**Essential – Boarding is recommended**
	Foreign National, without a Study Permit, presenting a Letter of Approval, issued by Immigration Refugees and Citizenship Canada, prior to 18 March 2020.	The person is expected to begin studying immediately upon arrival, e.g. the institution is offering on-line courses and presence in Canada is necessary.	**Essential – Boarding is recommended**
		The semester has been cancelled or the person will begin studying later in the year.	**Not essential – Boarding is not recommended**
Foreign National: Family Member	Foreign national, who is an immediate family member.	Do they normally live together? Is their travel necessary under the current circumstances? Will the person travelling provide essential assistance to the family member in Canada that is not otherwise available?	**Depends on the scenario: Contact your CBSA Liaison Officer for advice**
Should you require clarification, please do not hesitate to contact the CBSA Liaison Officer responsible for your airport.			



Voyages non essentiels et discrétionnaires au Canada - 21 avril 2020

Dans le cadre de ses efforts continus afin de contenir la propagation mondiale du COVID-19, le gouvernement du Canada clarifie les responsabilités des transporteurs aériens en ce qui concerne l'embarquement de passagers étrangers au Canada, conformément à l'une des exemptions prévues dans l'ordonnance intitulée *Minimiser le risque d'exposition à la COVID-19 au Canada.*

- **Tous les ressortissants étrangers qui souhaitent se rendre au Canada, quelle que soit leur exemption, doivent se rendre au Canada à des fins essentielles**. Les voyages ne doivent pas être effectués à des fins facultatives ou discrétionnaires, comme le tourisme, les loisirs, les divertissements, les visites sociales et les activités religieuses.
- Tous les voyageurs doivent répondre au questionnaire obligatoire sur la santé de Transports Canada.
- Les voyageurs doivent pouvoir se conformer aux exigences d'auto-isolement obligatoires.
- Les voyageurs doivent également satisfaire à toutes les autres exigences documentaires pour voyager au Canada.
- Les clarifications suivantes ne s'appliquent pas aux citoyens canadiens, aux résidents permanents du Canada, aux Indiens inscrits et aux personnes protégées.

Vous trouverez ci-dessous des scénarios pour vous aider à déterminer si le voyage du ressortissant étranger est essentiel. Cette liste n'est pas exhaustive et se veut un guide pour les transporteurs et leurs contrôleurs de documents sous-traités. **Les agents de liaison de l'ASFC demeurent disponibles pour consultation.**

Scénario		Considérations	Recommandation
Ressortissant étranger : Permis de travail	Ressortissant étranger détenant actuellement un permis de travail valide et dont la résidence principale est au Canada	La personne est établie, réside et travaille au Canada.	**Essentiel – l'embarquement est recommandé**
	Ressortissant étranger, sans permis de travail, présentant une lettre d'approbation émise par Immigration Réfugiés et Citoyenneté Canada (y compris le programme de vacances internationales Expérience Canada).	La personne a une offre d'emploi et travaillera immédiatement à son arrivée au Canada.	**Essentiel – l'embarquement est recommandé**
		La personne n'a pas d'offre d'emploi ou n'a pas l'intention de travailler immédiatement à son arrivée au Canada.	**Non- essentiel – l'embarquement n'est pas recommandé**
Ressortissant étranger : Permis d'études	Ressortissant étranger détenant actuellement un permis d'études valide.	La personne est établie, réside et étudie au Canada.	**Essentiel – l'embarquement est recommandé**
	Ressortissant étranger, sans permis d'études, présentant une lettre d'approbation, émise par Immigration Réfugiés et Citoyenneté Canada, avant le 18 mars 2020.	La personne devrait commencer ses études immédiatement à son arrivée, par ex. l'établissement offre des cours en ligne et une présence au Canada est nécessaire.	**Essentiel – l'embarquement est recommandé**

		La session a été annulée ou la personne commencera ses études plus tard dans l'année.	**Non- essentiel – l'embarquement n'est pas recommandé**
Ressortissant étranger : Membre de la famille	Ressortissant étranger qui est un membre de la famille immédiate.	Vivent-ils normalement ensemble? Leur voyage est-il nécessaire dans les circonstances actuelles? La personne qui voyage fournira-t-elle au membre de la famille au Canada une aide essentielle qui n'est pas disponible autrement?	**Dépend du scénario – Contactez votre Agent de Liaison de l'ASFC pour obtenir des clarifications**
Si vous avez besoin de plus d'informations, n'hésitez pas à contacter l'Agent de liaison de l'ASFC responsable de votre aéroport.			

Bitsene, Jonathan

From: Ojha, Richard
Sent: Wednesday, April 22, 2020 9:44 AM
To: Barlow, Adrienne
Subject: FW: Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the U.S.) / Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance des É.U.)
Attachments: OB Direct Backs Refugee Claimant EN -Air Marine and BTP April 21.pdf; BO Direct Backs Refugee Claimant -Air Marine and BTP April 21.pdf; OB - STCA Assessment for Land Border Refugee Claimants (April 21).pdf; BO - STCA Assessment for Land Border Refugee Claimants (April 21).pdf; Asylum handout COVID19_BIL_English first.pdf; Feuillet Demandes asile COVID19_BIL_Francais premier.pdf; v2 (Apr 21).Mar 26-BIQT-Restriction de l'entrée au Canada de citoyens américains et d'autres ressortissants étrangers en provenance des États-Unis (tous les modes)-FINAL.pdf; v2 (Apr 21).Mar 26-SBB-Restricting entry of U.S citizens and other foreign nationals into Canada from the United States (all modes) FINAL.pdf

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Richard Ojha
Senior Policy, Planning and Performance Analyst/ Analyste principale des politiques, de la planification et du rendement
Strategic Planning & Financial Management/ Planification stratégique et de la gestion financière
Travellers Branch/ Direction générale des voyageurs
Canada Border Services Agency/ Agence des services frontaliers du Canada
T: (343) 552-0232
richard.ojha@cbsa-asfc.gc.ca

From: CBSA-ASFC_OPS_TRAVELLERS-VOYAGEURS
Sent: April 21, 2020 10:16 PM
To: Baxter, Stephen ; Cantin, Melissa ; Chaussé, Isabelle ; Claveau, MarkF ; Cuerrier, Josée ; D'Asti, UrszulaX ; Hussey, Tila ; Kopetzki, Lorraine ; Modler, Greg ; Muka, Marsel ; Mullen, Jason ; Murrell, Dan ; Pecaskie, Charlene ; Sousae, Annie ; Vance, Stephanie ; Wherry, Alison ; Aube, Erin ; Bureaux, Christopher ; Demers, ChantalL ; Duarte-Nesrallah, Nancy ; Glynn, Mary Teresa ; Gray, Paul ; Hill, Kevin ; Hurley, Amanda ; Levesque, Emily ; Ojha, Richard ; Pau, Kai ; Pedersen, Alicia ; Richard, Dehrig ; Rosevear, Dan ; Sanderson, Paul ; Sommerville, Julie ; Steenbakkers, John ; Taylor, Paul ; Wigham, Melissa ; Wood, Rick
Subject: FW: Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the U.S.) / Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance des É.U.)
Importance: High

From: Corona Virus Task Force / Groupe de travail du virus Corona (CBSA/ASFC) <CBSA.Corona_Virus_TF-GT_virus_Corona.ASFC@cbsa-asfc.gc.ca>
Sent: April 21, 2020 10:11 PM
To: McKinnon, Chastity <Chastity.McKinnon@cbsa-asfc.gc.ca>; Correia, Sylvie <Sylvie.Correia@cbsa-asfc.gc.ca>; Letellier, Marie-Ève <Marie-Eve.Letellier@cbsa-asfc.gc.ca>; Stewart, Shannon <Shannon.Stewart@cbsa-asfc.gc.ca>; Martin, Denis <Denis.Martin@cbsa-asfc.gc.ca>; Baxter, Shawna <Shawna.Baxter@cbsa-asfc.gc.ca>; Grewal, Jyoti <Jyoti.Grewal@cbsa-asfc.gc.ca>; Cuvalo, Marija <Marija.Cuvalo@cbsa-asfc.gc.ca>; Belaire, David <David.Belaire@cbsa-asfc.gc.ca>; Naqvi, Nadia <Nadia.Naqvi@cbsa-asfc.gc.ca>; Bertosa, Diana <Diana.Bertosa@cbsa-asfc.gc.ca>; Jeffers, Joycelyn <Joycelyn.Jeffers@cbsa-asfc.gc.ca>; Woods, Dorothy <Dorothy.Woods@cbsa-asfc.gc.ca>; White, Lisa <Lisa.White@cbsa-asfc.gc.ca>; PRA_CBSA-ASFC_Region, Programs <Programs.PRA_CBSA-ASFC_Region@cbsa-asfc.gc.ca>; Jarvin, Carl <Carl.Jarvin@cbsa-asfc.gc.ca>; Bettencourt, Lucia <Lucia.Bettencourt@cbsa-asfc.gc.ca>; Desjarlais, Chuck <Chuck.Desjarlais@cbsa-asfc.gc.ca>; Stone, Christopher <Christopher.Stone@cbsa-asfc.gc.ca>; McManners, William <William.McManners@cbsa-asfc.gc.ca>; Linde, John <John.Linde@cbsa-asfc.gc.ca>; Wakita, Masao <Masao.Wakita@cbsa-asfc.gc.ca>; Redmond, Linell <Linell.Redmond@cbsa-asfc.gc.ca>; Lamons, Shantel <Shantel.Lamons@cbsa-asfc.gc.ca>; Goodman, Nicole <Nicole.Goodman@cbsa-asfc.gc.ca>; Roy, Lise-Sylvie <Lise-Sylvie.Roy@cbsa-asfc.gc.ca>; CBSA.O Programs Management / Programmes Management O.ASFC <CBSA.OProgramsManagement/ProgrammesManagementO.ASFC@cbsa-asfc.gc.ca>; Holtan, Deborah <Deborah.Holtan@cbsa-asfc.gc.ca>; Charlton, Kevin <Kevin.Charlton@cbsa-asfc.gc.ca>; Pac-Van-Programs, TF PAC PROGRAMMES TF <PACIFICPROGRAMSTF@cbsa-asfc.gc.ca>; Cliffe, Megan <Megan.Cliffe@cbsa-asfc.gc.ca>; Adams, Meaghan <Meaghan.Adams@cbsa-asfc.gc.ca>; MacLennan, Isabelle <Isabelle.MacLennan@cbsa-asfc.gc.ca>; Schuler, Tuula <Tuula.Schuler@cbsa-asfc.gc.ca>; Doxey, Laurelle <Laurelle.Doxey@cbsa-asfc.gc.ca>; Peters, Jeryn <Jeryn.Peters@cbsa-asfc.gc.ca>; Lebrun, Yvette <Yvette.Lebrun@cbsa-asfc.gc.ca>; Mahmood, Nausherwan <Nausherwan.Mahmood@cbsa-asfc.gc.ca>; Goddard, Jeffrey <Jeffrey.Goddard@cbsa-asfc.gc.ca>; CBSA-ASFC_SOR-RSO_COVID19 <CBSA-ASFC_SOR-RSO_COVID19@cbsa-asfc.gc.ca>; Taylor, Carrie <Carrie.Taylor@cbsa-asfc.gc.ca>; Newby, Joshua <Joshua.Newby@cbsa-asfc.gc.ca>; Prosia, Michael <Michael.Prosia@cbsa-asfc.gc.ca>; Jaeger, Anneliese <Anneliese.Jaeger@cbsa-asfc.gc.ca>; Resmini, Mary <Mary.Resmini@cbsa-asfc.gc.ca>; Boismier, Tamira <Tamira.Boismier@cbsa-asfc.gc.ca>; Short, Victoria <Victoria.Short@cbsa-asfc.gc.ca>; Bortolotto, Jennifer <Jennifer.Bortolotto@cbsa-asfc.gc.ca>; NOR_COVID-19 / RNO_COVID-19 (CBSA/ASFC) <CBSA-ASFC_NOR-RNO_COVID19@cbsa-asfc.gc.ca>; ROC-COR Atlantic, Regional Operations Centre - Centre d'operations regionales <EmergOps.ATL-CBSA@cbsa-asfc.gc.ca>; ROC-COR Quebec Regional Operations Centre d'opérations régionales ; Lee, Chantal <Chantal.Lee@cbsa-asfc.gc.ca>; GTAR_Region_Tasking / RGT_Région_Tasking (CBSA/ASFC) <CBSA.GTARRegionTasking-RGTRegionTasking.ASFC@cbsa-asfc.gc.ca>; Charest, Johanne <Johanne.Charest@cbsa-asfc.gc.ca>; Beauséjour, Annie <Annie.Beausejour@cbsa-asfc.gc.ca>; Hoag, Shawn <Shawn.Hoag@cbsa-asfc.gc.ca>; Janes, Lisa CBSA-ASFC <Lisa.Janes@cbsa-asfc.gc.ca>; Durocher, Christine <Christine.Durocher@cbsa-asfc.gc.ca>; Wozny, Brad <Brad.Wozny@cbsa-asfc.gc.ca>;

Patel, Nina <Nina.Patel@cbsa-asfc.gc.ca>; Zelenika, Mark <Mark.Zelenika@cbsa-asfc.gc.ca>
Cc: D'Asti, UrszulaX ; Martel, Alexandre <Alexandre.Martel@cbsa-asfc.gc.ca>; Harvie, Tammie <Tammie.Harvie@cbsa-asfc.gc.ca>; Jolicoeur, Catherine <Catherine.Jolicoeur@cbsa-asfc.gc.ca>; Dakalbab, Talal <Talal.Dakalbab@cbsa-asfc.gc.ca>; Border Operations Centre / Centre des Operations Frontalières (CBSA/ASFC) <BOC-COF@cbsa-asfc.gc.ca>; Sousae, Annie <Annie.Sousae@cbsa-asfc.gc.ca>; Christiansen, Calvin <Calvin.Christiansen@cbsa-asfc.gc.ca>; Lamarche, Lynne <Lynne.Lamarche@cbsa-asfc.gc.ca>; Ommanney, John <John.Ommanney@cbsa-asfc.gc.ca>; Badour, Dan <Dan.Badour@cbsa-asfc.gc.ca>; Easton, Erika-Kirsten <ERIKA-KIRSTEN.EASTON@cbsa-asfc.gc.ca>; Murray, Don <Don.Murray@cbsa-asfc.gc.ca>; CBSA-ASFC_OPS_TRAVELLERS-VOYAGEURS <OPS_TRAVELLERS-VOYAGEURS@cbsa-asfc.gc.ca>; Pyke, Simon <Simon.Pyke@cbsa-asfc.gc.ca>; Dutta, Tina <Tina.Dutta@cbsa-asfc.gc.ca>; Muka, Marsel <Marsel.Muka@cbsa-asfc.gc.ca>; Prémont, Jean-Christian <Jean-Christian.Premont@cbsa-asfc.gc.ca>; Crowe, Kelly <Kelly.Crowe@cbsa-asfc.gc.ca>; Vinette, Denis R. <Denis.Vinette@cbsa-asfc.gc.ca>; Blanchard, NathalieX <NathalieX.Blanchard@cbsa-asfc.gc.ca>; Lorenz, Christian <Christian.Lorenz@cbsa-asfc.gc.ca>; Spicer, Sharon <Sharon.Spicer@cbsa-asfc.gc.ca>; Daigle, Jason <Jason.Daigle@cbsa-asfc.gc.ca>; Carey, Brandon <Brandon.Carey@cbsa-asfc.gc.ca>; O'Neill, Erin ; Corona Virus Task Force / Groupe de travail du virus Corona (CBSA/ASFC) <CBSA.Corona_Virus_TF-GT_virus_Corona.ASFC@cbsa-asfc.gc.ca>; Robertson, Jayden <Jayden.Robertson@cbsa-asfc.gc.ca>; Modler, Greg <Greg.Modler@cbsa-asfc.gc.ca>
Subject: Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the U.S.) / Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance des É.U.)
Importance: High

For your information and dissemination / Pour votre information et distribution

Please cascade to border services officers (BSO) / Veuillez transmettre aux agents des services frontaliers (ASF)

Thank you / Merci

For Implementation on Wednesday, 22 April 2020 at 12:01 AM ET// Pour mise en œuvre le mercredi 22 avril 2020 à 00 h 01 HE

Please find attached the following documents:

- Operational Bulletin – COVID-19 Response - Processing claims for refugee protection at a designated land or rail port of entry;
- Operational Bulletin – COVID-19 Response - Foreign Nationals arriving from the United States who make a claim for refugee protection at airports, marine ports and between ports of entry;
- Asylum handout COVID-19; and
- Shift Briefing Bulletin – Restricting entry of U.S citizens and other foreign nationals into Canada from the United States (all modes).

A new order will come into effect at midnight + 1 minute on Wednesday, 22 April 2020, and ends on Thursday, 21 May, 2020. This new order is OIC 11. OIC 11 extends the restriction on all optional or discretionary (non-essential) travel across the Canada-U.S. border.

Within OIC 11, foreign nationals are prohibited from entering Canada from the United States, if:

- they have COVID-19 or have signs and symptoms of COVID-19 or have reasonable grounds to suspect they have such signs and symptoms, including: (a) a fever and cough; or (b) a fever and breathing difficulties; or
- they seek to enter for an optional or discretionary purpose, such as tourism, recreation or entertainment; or
- based on the purpose of entry and the length of their stay, the requirement to quarantine under the Minimizing the Risk of Exposure to COVID-19 in Canada Order (Mandatory Isolation), No. 2 cannot be complied with.

The new order affects the processing of asylum claims at land border POEs. In general, temporary direct backs can continue in air and marine mode, as well as between the ports, and the Safe Third Country Agreement will be applied at land POEs. The new exceptions are articulated in the SB/OBs, and support will be available if there are questions. IRCC and/or PHAC will be accountable for transporting and housing of asylum seekers post-processing. POEs will complete processing once AS have completed 14-day self-isolation or quarantine periods. If the AS was symptomatic, they will not be released from self-isolation until verified by a PHAC QO as safe to release.

Canada and the U.S. recognize the critical necessity to preserve supply chains between both countries. These supply chains ensure that food, fuel, and life-saving medicines reach people on both sides of the border. Supply chains will continue to not be impacted by these measures.

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Veuillez trouver ci-joint les documents suivants:
- Bulletin Opérationnel – Intervention en lien avec la COVID-19 : Traitement des demandes d'asile à un point d'entrée terrestre ou ferroviaire désigné;
- Operational Bulletin – Intervention en lien avec la COVID-19 – Ressortissants étrangers en provenance des États-Unis qui présentent une demande d'asile aux aéroports, aux ports maritimes et entre les points d'entrée;
- Feuillet Demandes asile COVID19; et
- Bulletin d'information sur les quarts de travail – Restriction de l'entrée au Canada de citoyens américains et d'autres ressortissants étrangers en provenance des États-Unis (tous les modes).

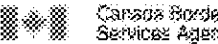
Un nouveau décret entrera en vigueur ce soir à minuit + 1 minute le mercredi 22 avril 2020, et sera levé le jeudi 21 mai 2020. Il s'agit du décret en conseil 11. Le décret en conseil 11 prolonge la restriction à l'égard de tous les déplacements facultatifs ou discrétionnaires (non essentiels) à la frontière canado-américaine.

Dans le cadre du décret en conseil 11, il est interdit aux ressortissants étrangers d'entrer au Canada en provenance des États-Unis, si :
- ils sont atteints de la COVID-19 ou s'ils présentent des signes et des symptômes de la COVID-19 ou s'ils ont des motifs raisonnables de soupçonner qu'ils ont de tels signes et symptômes, notamment : a) de la fièvre et de la toux; ou b) de la fièvre et des difficultés respiratoires; ou
- ils cherchent à entrer à des fins facultatives ou discrétionnaires, comme le tourisme, les loisirs ou le divertissement; ou
- selon les raisons motivant l'entrée et de la durée du séjour, l'obligation de la mise en quarantaine en vertu du décret no 2 visant la réduction du risque d'exposition à la COVID-19 au Canada (isolement obligatoire) ne peut être respectée.

Le nouveau décret a une incidence sur le traitement des demandes d'asile aux points d'entrée des frontières terrestres. En général, les renvois temporaires peuvent se poursuivre pour les modes aérien et maritime, ainsi qu'entre les ports, et l'Entente sur les tiers pays sûrs sera appliquée aux points d'entrée terrestres. Les nouvelles exceptions sont énoncées dans les deux bulletins et de l'aide sera disponible si des questions sont émises. IRCC et/ou l'ASPC seront responsables du transport et du logement des demandeurs d'asile après leur traitement. Les points d'entrée termineront le traitement une fois que les demandeurs d'asile auront terminé une période d'auto-isolement ou de quarantaine de 14 jours. Si un demandeur d'asile était symptomatique, il ne serait pas libéré de l'auto-isolement avant d'avoir été

examiné par un agent de quarantaine de l'ASPC, qui devra déclarer qu'il ne présente pas de risque en vue de sa libération.

Le Canada et les É.-U. reconnaissent la nécessité essentielle de préserver les chaînes d'approvisionnement entre les deux pays. Ces chaînes d'approvisionnement assurent aux citoyens des deux pays un accès à la nourriture, au carburant et aux médicaments dont ils ont besoin. Les chaînes d'approvisionnement ne seront toujours pas touchées par ces mesures.





OPERATIONAL BULLETIN:

TITLE: COVID-19 Response - Foreign Nationals arriving from the United States who make a claim for refugee protection at airports, marine ports and between ports of entry.

Date of Issue: April 21, 2020	**Mode(s):** All	**Target Audience:** All officers administering and enforcing IRPA	**Area of Interest:** National

Details:

These instructions are specific to direct back authorities for foreign nationals arriving from the United States who make a claim for refugee protection at designated air and marine ports of entry and for those who enter Canada between ports of entry.

This Order in Council (colloquially referred to as OIC-11), entitled Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the United States), No.3, is made pursuant to section 58 of the Quarantine Act.

This Order in Council has effect for the period beginning on April 22, 2020 (00:01) and ending on May 21, 2020.

The Order repeals and replaces the Order in Council P.C. 2020-0185 entitled Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the United States) (referred to as OIC-9), which came into force on March 26, 2020.

Background

In order to enhance the authority of the Minister of Public Safety and Emergency Preparedness to respond to emergency situations that temporarily impact the border, a new provision for direct back under paragraph 41(d) of the IRPR has been enacted. This amendment enables an officer to direct back a foreign national prohibited pursuant to an emergency order or regulation made under the *Quarantine Act* or the *Emergencies Act*.

OIC 11 creates exceptions to the general prohibition on entering Canada for the purpose of making a claim for refugee protection. More specifically, the new OIC provides that a foreign national is prohibited from entering Canada for the purpose of making a claim for refugee protection unless the foreign national:



- seeks to enter Canada at a land and rail port of entry designated by the Minister of Public Safety and Emergency Preparedness under section 26 of the Immigration and Refugee Protection Regulations; and
  - is a person referred to in section 159.2, 159.5 or 159.6 of the Immigration and Refugee Protection Regulations; or
  - is a citizen of the United States;
- seeks to enter Canada other than at a land or rail port of entry and is a person who is a citizen of the United States, a stateless habitual resident of the United States or an unaccompanied, unmarried minor without a parent or legal guardian in the US; or
- is a person whose presence in Canada is determined by the Minister of Public Safety and Emergency Preparedness or the Minister of Citizenship and Immigration to be in the national or public interest, while recognizing the paramount public health interests of Canada and Canadians.
  - More specifically, the Ministers exempt the following persons from the application of the OIC:
  - Foreign Nationals who make a claim for refugee protection at an air or marine port of entry and cannot be immediately directed back to the U.S..
  - Foreign Nationals who may be subject to the death penalty in any country.
    Please refer to the notification process below for further case processing instructions.

Actions required by officers and Minister's Delegates (MDs) administering and enforcing the IRPA:

For all direct backs of foreign nationals making a claim for refugee protection at a designated POE (air or marine mode) or in-between the POEs, officers will be responsible to initiate and complete the following:

- Conduct queries in all applicable systems per existing procedures;
- Exam and Ref-Clm creation for quick intake in the Global Case Management System (GCMS);
- Collection of biometrics;
- BSF 505 – Direction to Return to USA and the officer will select "no officer is able to complete the examination" on the form.
- Update the direct back screen in GCMS selecting the option "R41(d) – Emerg/Quarant Act" ;
- Notice to Transporter (BSF 502), as applicable;



- Notification of the direct-back to the USCBP using established local procedures;
- Detailed notes in the examination tab of GCMS; notes must indicate the POE or irregular crossing of arrival. This will allow the officers responsible for the resumption of processing to understand what method of processing applies. Ports of Entry must maintain a list of all direct backs; the list should reflect the information in the Direct Back screen in GCMS and include the UCI, client's status in the U.S., name(s) and current contact information (telephone number and/or email address) for each claimant.

Exception: A direct back should not be issued to FNs who are symptomatic and who arrive from the U.S. via commercial or public conveyance (air or marine mode). Those individuals should be directed to isolate and/or referred to PHAC (depending on the severity of their symptoms and whether there are concerns about their ability to isolate themselves). This does not apply to FNs who arrive from the U.S. in a personal conveyance (i.e., would not pose a risk to other travellers) - they can be directed back to the U.S.

Foreign Nationals who are able to enter to make a refugee claim as per subsection 5(1) or 5(2) of the OIC, can enter even if they are symptomatic and will need to be referred to the PHAC Quarantine officers regardless of mode or location of entry.

Claims for refugee protection will be subject to the following intake process:

1. Determine if the foreign national is symptomatic or asymptomatic as per the following instructions:

    - COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)

2. Perform Secondary Examination

    - Determine if they meet an exemption to the OIC and are permitted to make a claim;
    - Conduct queries in all applicable systems per existing procedures;
    - Initiate Refugee Claim in GCMS;
    - Collect biometrics;
    - Conduct a Preliminary Risk Assessment in order to assess eligibility and once the eligibility assessment is made the following outcomes will occur:

Claim assessed - Low Risk Case:

i. The processing of FNs seeking entry from the U.S. who make a claim



for refugee protection and are assessed to be 'low risk' and appear to meet an exemption or exception to the STCA.

ii. Once the acknowledgement of claim process is completed, the claimant is permitted entry for further examination to complete the refugee intake processing (BSF536).

Claim assessed - High Risk/Complex Case:

i. Completion by CBSA at the POE or other CBSA location once the acknowledgement of claim process is completed in consideration of appropriate conditions to ensure compliance;
ii. Arrest and/or detention (A55) considerations are to be made using the Temporary Measures to Guide Decisions to Detain and Consideration of Alternatives to Detention.

Note: POE's are responsible for the resumption of claim processing as per regional procedures/processing models. Should a claimant request processing at another CBSA location, it is the responsibility of the initial POE to coordinate the resumption of processing with the claimants preferred processing location.

Should a POE decide to complete the refugee intake process at the time of arrival, all protocols to ensure the health and safety of officers and claimants must followed.

For claims assessed to be ineligible, removal orders will come into force as follows:

i. **101(1)(e) STCA:** immediately [U.S. Removal - Air Mode R159.4(2)];

ii. **Other grounds of ineligibility - non-STCA:** seven (7) days;

iii. **101(1)(c.1):** seven (7) days with an expedited PRRA within 30 days by IRCC;

iv. **101(1)(d):** seven (7) days with an expedited risk assessment for *non-refoulement* within 30 days; and

v. **101(1)(f) cases:** suspend eligibility before referral to Refugee Protection Division to wait the outcome of an admissibility hearing or criminal court proceeding in Canada.

Note: Foreign Nationals determined ineligible under the STCA shall be ordered removed and returned to the U.S. immediately as per ss.48(2) of *IRPA*.

Post Claim Processing Procedures

Foreign Nationals who are permitted to make a claim for refugee protection in Canada while the OIC is in effect are subject to the same requirements as all other travellers as described in OIC 10. Officers are required to follow the process as



described at the following link:

COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)

Transfer to Receiving Organizations

Upon completion of port of entry processing, should an individual require transportation and/or accommodations the following departments should be contacted based on whether the individual(s) are asymptomatic or symptomatic.

Asymptomatic Travellers - Immigration, Refugees and Citizenship Canada

Kathryn Jarrett-Ekholm
613-769-5105

Symptomatic Travellers - Public Health Agency of Canada

PHAC Central Notification System
1-833-615-2384
phac.cns-snc.aspc@canada.ca

Notification Process

POEs are to notify CBSA Case Management of all foreign nationals who have made a claim for refugee protection who are directed back to the U.S. or who are allowed into Canada as they meet an exception under the Quarantine Act and the OIC. Case Management can be notified via email (Case-Management@cbsa-asfc.gc.ca) with the following subject line: "COVID-19 Response – asylum claimant UCI:11-XXXX-XXXX". The email should also indicate whether the claimants current contact information (telephone number, address and/or email address) is on file for each claimant.

The above is in addition to any established regional notification processes.

Person(s) charged or convicted of an offence that is punishable by the death penalty

POEs must notify the Border Operations Centre immediately and prior to any decision or action is taken on a foreign national who has been charged with or convicted of an offence that is punishable by the death penalty, in the US or another country. The burden of proof is on the claimant to prove that they would be subject to the death penalty.



Return date for the direct back

Under general circumstances, direct backs normally include a specific date and time for the foreign national to return to the POE for further processing. For the duration of COVID-19 response, officers are required to provide the *Asylum handout COVID19* to all foreign nationals seeking refugee protection who are directed back. Officers will instruct all refugee claimants directed back to refer to the *CBSA website* for up to date information on when they should return to Canada. It is important that refugee claimants directed back are clearly counselled that this does not mean that their refugee claim will not be heard but rather that it is only delayed until such time as the OIC is lifted. Once the OIC has been lifted, arrangements will be made for the resumption of the refugee claim examination.

For greater clarity, these regulatory amendments do not impact any of the currently available recourse mechanisms with respect to immigration enforcement. They also do not impact individuals already granted protected person status under subsection 95(2) of the IRPA and seeking to re-enter Canada.

U.S. Interceptions and/or Returns to Canada

All persons seeking to make a claim for asylum in the U.S. and intercepted seeking entry at a place other than a POE, or entering at a U.S. POE, will be returned to the closest CBSA port office. The CBSA port of entry must accept the return of the foreign national; a case-by-case assessment by an officer should be completed and all available officer options can be considered when accepting the return of the person from U.S. authorities.

Once the border measures between Canada and the U.S. are lifted, the individual is to be contacted by U.S. authorities and advised to return to the U.S for further processing.

Additional Information:

- Arrest and/or detention (A55) considerations are to be made using the Temporary Measures to Guide Decisions to Detain and Consideration of Alternatives to Detention
- For further instructions on symptomatic or asymptomatic foreign nationals, please refer to the shift briefing Restricting the non-essential travel to Canada of U.S. citizens and other foreign nationals arriving from the United States by land, rail, ferry and maritime
- Contact information for Public Health Agency of Canada Quarantine Operations Centres can be found in Appendix B (Quarantine Operations Centres) of Enforcement Manual 4 (Port of Entry Examination).
- Additional guidance on liaising with the Public Health Agency of Canada is found in the People Processing Manual, Part 8, Chapter 5.2
- Additional guidance on POE processing can be found in ENF4 manual
- Additional guidance on writing A44(1) reports and Minister's Delegate review



under A44(2) can be found in ENF5 and ENF6 manual, respectively.

- Operational Bulletin: PRG-2015-34 - Transportation of Non-detained Persons in Agency Vehicles while Administering CBSA Program Legislation

Regional Management:

Regional supervisors and managers will ensure that the above instructions are implemented immediately, and will be responsible for regional best practices and for conducting quality assurance.

Contact Information:

Any questions regarding this bulletin should be directed to the following email address:

Border Services Officers: If you have any questions, please forward them through the regional Corporate and Program Services Divisions, which (if required) will then send an email to the Traveller Operations Division's generic inbox: CBSA-ASFC_Ops_Travellers-Voyageurs

Approved by:

John Ommanney, Director General
Travellers Branch

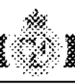
Christian Lorenz, Director General
Intelligence and Enforcement Branch

Effective Date:	**Updated:**

Additional bulletins:







BULLETIN OPÉRATIONNEL :

TITRE : Intervention en lien avec la COVID-19 – Ressortissants étrangers en provenance des États-Unis qui présentent une demande d'asile aux aéroports, aux ports maritimes et entre les points d'entrée.

Date de publication : 2020-04-21	**Mode(s) :** Tous	**Public cible :** Tous les agents qui administrent et appliquent la *LIPR*	**Domaine d'intérêt :** National

Détails :

Les présentes instructions sont spécifiques aux autorités de retour immédiat pour les ressortissants étrangers arrivant des États-Unis qui demandent l'asile à des points d'entrée aériens et maritimes désignés et pour ceux qui entrent au Canada entre deux points d'entrée.

Ce décret (familièrement appelé OIC-11), intitulé Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance loi des États-Unis) – 3, est pris en vertu de l'article 58 de la *Loi sur la mise en quarantaine*.

Ce décret en conseil est en vigueur pour la période commençant le 22 avril 2020 (00h01) et se terminant le 21 mai 2020.

Le décret abroge et remplace le décret C.P 2020 – 0185 intitulé Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance loi des États-Unis) (appelé OIC-9), qui est entré en vigueur le 26 mars 2020.

Renseignements généraux

Afin de renforcer l'autorité du ministre de la Sécurité publique et de la Protection civile pour répondre aux situations d'urgence qui ont une incidence temporaire à la frontière, une nouvelle disposition de retour immédiat en vertu de l'alinéa 41 d) du *RIPR* a été adoptée. Cette modification permet à un agent de renvoyer un ressortissant étranger interdit conformément à un décret ou un règlement d'urgence pris en vertu de la *Loi sur la mise en quarantaine* ou de la *Loi sur les mesures d'urgence*.



L'OIC 11 crée des exceptions à l'interdiction générale d'entrer au Canada dans le but de présenter une demande d'asile. Plus précisément, le nouveau décret prévoit qu'il est interdit à un étranger d'entrer au Canada dans le but de présenter une demande d'asile, sauf si le ressortissant étranger :

- cherche à entrer au Canada à un point d'entrée terrestre et ferroviaire désigné par le ministre de la Sécurité publique et de la Protection civile en vertu de l'article 26 du *Règlement sur l'immigration et la protection des réfugiés*;
    - est une personne visée par l'article 159.2, 159.5 ou 159.6 du *Règlement sur l'immigration et la protection des réfugiés*;
    - est un citoyen des États-Unis;
- cherche à entrer au Canada autrement qu'à un point d'entrée terrestre ou ferroviaire et est une personne qui est un citoyen des États-Unis, un apatride résidant habituellement aux États-Unis ou un mineur non accompagné et non marié sans parent ni tuteur légal aux États-Unis;
- est une personne dont la présence au Canada est déterminée par le ministre de la Sécurité publique et de la Protection civile ou le ministre de la Citoyenneté et de l'Immigration comme étant dans l'intérêt national ou public, tout en reconnaissant les intérêts primordiaux du Canada et de sa population en matière de santé publique.
    - Plus précisément, les ministres exemptent les personnes suivantes de l'application du décret :
    - les ressortissants étrangers qui déposent une demande d'asile à un point d'entrée aérien ou maritime et qui ne peuvent être immédiatement renvoyés aux États-Unis;
    - les ressortissants étrangers qui pourraient être soumis à la peine de mort dans n'importe quel pays.
      Veuillez vous reporter au processus de notification ci-dessus pour obtenir des instructions sur le traitement des cas.

Mesures requises par les agents et les délégués du ministre (DM) qui administrent et appliquent la *LIPR*

Pour tous les retours immédiats de ressortissants étrangers présentant une demande d'asile à un PDE désigné (voie aérienne ou maritime) ou entre les PDE, les agents seront responsables d'initier et de compléter ce qui suit :

- effectuer des recherches dans tous les systèmes applicables selon les procédures existantes;



- création d'examens et de demandes d'asile pour une admission rapide dans le Système mondial de gestion des cas (SMGC);
- collecte de données biométriques;
- BSF 505 – Ordre de retour aux États-Unis et l'agent sélection de « aucun agent n'est en mesure de compléter l'examen » dans le formulaire.
- mettre à jour l'écran du Retour immédiat dans le SMGC en sélectionnant l'option « R41d) – *Loi sur les mesures d'urgence/mise en quarantaine* »;
- Avis au transporteur (BSF 502), le cas échéant;
- avis de retour immédiat à l'USCBP en utilisant les procédures locales établies;
- notes détaillées dans l'onglet d'examen du SMGC. Les notes doivent indiquer le PDE ou le point de passage irrégulier lors de l'arrivée. Cela permettra aux agents qui reprendront le traitement du dossier de comprendre quelle méthode de traitement s'applique. Les agents des points d'entrée doivent tenir une liste de tous les ordres de retour immédiat; la liste devrait refléter les renseignements contenus dans l'écran du Retour immédiat du SMGC et inclure l'UCI, le statut du client aux États-Unis, le nom ou les noms et les coordonnées actuelles (numéro de téléphone et adresse courriel) de chaque demandeur.

Exception : Un retour immédiat ne devrait pas être ordonné si les ressortissants étrangers présentent des symptômes et arrivent des États-Unis par un moyen de transport commercial ou public (transport aérien ou maritime). Ces personnes doivent être orientées vers l'ASPC et s'auto-isoler (en fonction de la gravité de leurs symptômes et de l'existence de préoccupations quant à leur capacité à s'isoler). Cela ne s'applique pas aux ressortissants étrangers qui arrivent des États-Unis par moyen de transport personnel (c.-à-d. qu'ils ne posent pas de risque aux autres voyageurs) – ils peuvent être renvoyés immédiatement aux États-Unis.

Les ressortissants étrangers qui peuvent entrer pour faire une demande d'asile conformément au paragraphe 5 (1) ou 5 (2) du décret peuvent entrer même s'ils sont symptomatiques et devront être dirigés vers les agents de quarantaine de l'ASPC, quel que soit le mode ou le lieu d'entrée.

Les demandes d'asile seront soumises à la procédure de réception suivante :

- Déterminez si le ressortissant étranger est symptomatique ou asymptomatique selon les instructions suivantes :

- COVID-19 – Mesures frontalières renforcées à l'appui de la quarantaine obligatoire (voyageurs asymptomatiques) et de l'isolement obligatoire (voyageurs symptomatiques) (tous les modes de transport)

- Effectuez un second contrôle :

    - déterminez si le ressortissant étranger répond à une exemption du décret et s'il est autorisé à présenter une demande;



- effectuez des recherches dans tous les systèmes applicables selon les procédures existantes;
- Création des cas de Control et Dem-Ref pour le consommation rapide;
- recueillez les données biométriques;
- effectuez une évaluation préliminaire des risques afin d'évaluer l'éligibilité et, une fois l'évaluation effectuée, les options seront les suivantes :

Demande évaluée – Cas présentant un faible risque :

i. Le traitement des demandes d'entrée de ressortissant étranger en provenance des États-Unis qui présentent une demande d'asile, qui sont jugées « à faible risque » et qui semblent satisfaire à une exemption ou à une exception en vertu de l'ETPS.
ii. Une fois le processus d'accusé de réception de la demande terminé, le demandeur est autorisé à entrer pour un examen complémentaire afin de terminer le traitement de la demande d'asile (BSF536).

Demande évaluée – Cas présentant un risque élevé/complexe :

i. Achèvement par l'ASFC au PDE ou à un autre emplacement de l'ASFC une fois le processus d'accusé de réception de la demande terminé, en tenant compte des conditions appropriées pour assurer la conformité.
ii. Les considérations relatives à l'arrestation et à la détention (A55) doivent être prises en compte à l'aide du document Mesures temporaires visant à guider la décision de placer en détention et examen des solutions de rechange à la détention.

Remarque : les agents des PDE sont responsables de la reprise du traitement des demandes conformément aux procédures et modèles de traitement régionaux. Si un demandeur demande que sa demande soit traitée dans un autre bureau de l'ASFC, il incombe à l'agent du PDE initial de coordonner la reprise du traitement avec le bureau de traitement préféré du demandeur.

Si agent du PDE décide de terminer le processus de demande du réfugié au moment de leur arrivée, tous les protocoles visant à garantir la santé et la sécurité des agents et des demandeurs doivent être respectés.

Pour les demandes jugées irrecevables, une mesure de renvoi sera prise comme suit :

i. **101 (1)e) ETPS :** immédiatement;
ii. **Autres motifs d'inéligibilité – non lié à l'ETPS :** sept (7) jours;



iii. **101 (1)c.1) :** sept (7) jours avec un ERAR accéléré dans les 30 jours par IRCC;

iv. **101 (1)d) :** sept (7) jours avec une évaluation accélérée des risques pour le *non-refoulement* dans les 30 jours;

v. **cas 101 (1)f) :** suspendre l'éligibilité avant de renvoyer à la Section de la protection des réfugiés pour attendre La décision d'une enquête ou d'une procédure judiciaire pénale au Canada.

Remarque : Les demandes des ressortissants étrangers jugés non admissibles en vertu de l'ETPS doivent être retirées et les personnes doivent être renvoyées aux États-Unis immédiatement, conformément à l'article 48 (2) de la *LIPR*.

Procédures après le traitement de la demande

Les ressortissants étrangers qui sont autorisés à présenter une demande d'asile au Canada pendant que le décret est en vigueur sont soumis aux mêmes exigences que tous les autres voyageurs, comme le décrit le décret 10 (OIC 10). Les agents sont tenus de suivre le processus décrit dans le lien suivant :

COVID-19 – Mesures frontalières renforcées à l'appui de la quarantaine obligatoire (voyageurs asymptomatiques) et de l'isolement obligatoire (voyageurs symptomatiques) (tous les modes de transport)

Transfert aux organismes destinataires

Une fois le traitement au point d'entrée terminé, si une personne a besoin de transport et d'hébergement, on doit contacter les employés des services suivants selon que la personne est asymptomatique ou symptomatique.

Voyageurs asymptomatiques - Immigration, Réfugiés et Citoyenneté Canada

Kathryn Jarrett-Ekholm
613-769-5105

Voyageurs symptomatiques - Agence de la santé publique du Canada

Ligne centrale de notification de l'ASPC
1-833-615-2384
phac.cns-snc.aspc@canada.ca

Processus de notification

Les agents des PDE doivent informer le Service de gestion des cas de l'ASFC de tous les ressortissants étrangers qui sont renvoyés aux États-Unis ou qui sont autorisés à



entrer au Canada car ils répondent à une exception en vertu de la loi sur la quarantaine et de décret. Les responsables de la gestion des cas peuvent être avisés par courriel (Case-Management@cbsa-asfc.gc.ca) en indiquant l'objet suivant : « Intervention en lien avec la COVID-19 : — demandeur d'asile UCI : 11-XXXX-XXXX ». Le message doit également indiquer si les coordonnées actuelles (numéro de téléphone et adresse électronique) de chaque demandeur d'asile se trouvent dans leur dossier.

Ce qui précède s'ajoute aux processus de notification régionaux établis.

Personne accusée ou reconnue coupable d'une infraction passible de la peine de mort

Les PDE doivent informer le Centre des Opérations Frontalières immédiatement et avant toute décision ou action prise à l'égard d'un étranger qui a été accusé ou reconnu coupable d'une infraction passible de la peine de mort, aux États-Unis ou dans un autre pays. La charge de la preuve incombe au demandeur d'asile qui doit prouver qu'il serait soumis à la peine de mort.

Date de retour pour le retour immédiat

De manière générale, les renvois immédiats seront ordonnés selon une date et une heure précises pour le retour du ressortissant étranger au PDE en vue d'un traitement ultérieur. Pendant la durée des interventions en lien avec la COVID-19, les agents sont tenus de fournir le document *Asylum handout COVID19* à tous les ressortissants étrangers qui demandent l'asile et qui sont renvoyés. Les agents demanderont à tous les demandeurs d'asile renvoyés de consulter le *site Web de l'ASFC* pour obtenir des renseignements à jour sur la date à laquelle ils devraient revenir au Canada. Il est important que les demandeurs d'asile renvoyés soient clairement informés que cela ne signifie pas que leur demande d'asile ne sera pas évaluée, mais plutôt qu'elle est seulement retardée jusqu'à ce que le décret soit levé. Une fois que le décret aura été levé, des dispositions seront prises pour la reprise de l'examen des demandes d'asile.

Pour plus de clarté, ces modifications réglementaires n'ont aucune incidence sur les mécanismes de recours actuellement disponibles en ce qui concerne l'application des lois sur l'immigration. Elles n'ont pas non plus d'incidence sur les personnes ayant déjà obtenu le statut de personne protégée en vertu du paragraphe 95 (2) de la *LIPR* et cherchant à rentrer au Canada.

Interceptions et retours des États-Unis au Canada

Toutes les personnes cherchant à faire une demande d'asile aux États-Unis et interceptées alors qu'elles cherchaient à entrer dans un endroit autre qu'un PDE, ou qu'elles entraient dans un PDE américain, seront renvoyées au bureau de l'ASFC le plus proche. Le point d'entrée de l'ASFC doit accepter le retour du ressortissant étranger; un agent doit procéder à une évaluation au cas par cas et toutes les



options disponibles peuvent être prises en considération lorsqu'il accepte le retour de la personne de la part des autorités américaines.

Une fois que les mesures frontalières entre le Canada et les États-Unis sont levées, les autorités américaines doivent contacter la personne et lui conseiller de retourner aux États-Unis pour la suite du traitement.

Renseignements supplémentaires

iii. Les considérations relatives à l'arrestation et à la détention (A55) doivent être prises en compte à l'aide du document Mesures temporaires visant à guider la décision de placer en détention et examen des solutions de rechange à la détention.

- Pour obtenir de plus amples renseignements sur les ressortissants étrangers symptomatiques ou asymptomatiques, reportez-vous à la séance d'information lors du quart de travail intitulée Limiter les voyages non essentiels au Canada des citoyens américains et d'autres ressortissants étrangers qui arrivent des États-Unis par voie terrestre, ferroviaire, maritime et par traversier.
- Les coordonnées des centres d'opérations de quarantaine de l'Agence de santé publique du Canada se trouvent à l'annexe B (Centres d'opérations de quarantaine) du Manuel d'application de la loi 4 (Examen du point d'entrée).
- Des directives supplémentaires sur la liaison avec l'Agence de la santé publique du Canada figurent dans le Manuel de traitement des personnes, Partie 8, chapitre 5.2.
- Des instructions supplémentaires sur le traitement au point d'entrée se trouvent dans le manuel d'application de la loi 4.
- Des directives supplémentaires sur la rédaction des rapports A44 (1) et sur l'examen par les délégués du ministre en vertu de l'A44 (2) se trouvent dans les manuels d'application de la loi 5 et 6, respectivement.
- Bulletin opérationnel : PRG-2015-34 – Transport de personnes non détenues dans des véhicules de l'Agence tout en administrant la législation frontalière de l'ASFC.

Gestion régionale

Les superviseurs et gestionnaires régionaux veilleront à ce que les instructions ci-dessus soient mises en œuvre immédiatement, et seront responsables des pratiques régionales exemplaires et de la conduite de l'assurance qualité.

Coordonnées des personnes-ressources

Toute question concernant ce bulletin doit être envoyée à l'adresse électronique suivante :

Agents des services frontaliers Si vous avez des questions, veuillez les transmettre au bureau régional de la Division des services corporatifs et des



programmes, qui (au besoin) enverra un courriel à la boîte de réception générique des Opérations liées aux voyageurs : CBSA-ASFC_Ops_Travellers-Voyageurs

Approuvé par :

John Ommanney, directeur général
Direction générale des voyageurs

Christian Lorenz, directeur général
Direction générale du renseignement et de l'exécution de la loi

Date d'entrée en vigueur :	**Mise à jour :**

Autres bulletins :





Canada Border Services Agency / Agence des services frontaliers du Canada



OPERATIONAL BULLETIN: OBO-2020-XXX

TITLE: COVID-19 Response - Processing claims for refugee protection at a designated land or rail port of entry

Date of Issue: April 21, 2020	**Mode(s):** Land and Rail	**Target Audience:** All officers administering and enforcing IRPA	**Area of Interest:** National

Details:

These instructions are specific to foreign nationals who make a claim for refugee protection at a designated land or rail port of entry (POE). The Agreement between the Government of Canada and the Government of the United States of America for Cooperation in the Examination of Refugee Status Claims from Nationals of Third Countries [known as the Safe Third Country Agreement (STCA)] continues to apply at land and rail POEs for foreign nationals seeking entry to make claim for refugee protection in Canada. This is true whether the foreign national is asymptomatic or symptomatic for COVID-19.

Note: Foreign nationals who seek entry to Canada by land at a place other than an official port of entry, by air, or marine modes, generally remain prohibited. For further guidance and processing instructions for arrivals in these 3 modes please refer to Operational Bulletin: COVID-19 Response - Foreign Nationals arriving from the United States who make a claim for refugee protection at airports, marine ports and between ports of entry.

Background

This Order in Council (colloquially referred to as OIC-11), entitled Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the United States), No.3, is made pursuant to section 58 of the Quarantine Act.

This Order in Council has effect for the period beginning on April 22, 2020 (00:01) and ending on May 21, 2020.

The Order repeals and replaces the Order in Council P.C. 2020-0185 entitled Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the United States) (referred to as OIC-9), which came into force on March 26, 2020.

OIC 11 creates exceptions to the general prohibition on entering Canada for the



purpose of making a claim for refugee protection. More specifically, the new OIC provides that a foreign national is prohibited from entering Canada for the purpose of making a claim for refugee protection unless the foreign national:

- seeks to enter Canada at a land and rail port of entry designated by the Minister of Public Safety and Emergency Preparedness under section 26 of the Immigration and Refugee Protection Regulations; and
    - is a person referred to in section 159.2, 159.5 or 159.6 of the Immigration and Refugee Protection Regulations; or
    - is a citizen of the United States;
- seeks to enter Canada other than at a land or rail port of entry and is a person who is a citizen of the United States, a stateless habitual resident of the United States or an unaccompanied, unmarried minor without a parent or legal guardian in the US; or
- is a person whose presence in Canada is determined by the Minister of Public Safety and Emergency Preparedness or the Minister of Citizenship and Immigration to be in the national or public interest, while recognizing the paramount public health interests of Canada and Canadians. ***(Not currently applicable at Land and Rail Ports of Entry)***

Actions required by officers and Minister's Delegates (MDs) administering and enforcing the IRPA

Claims for refugee protection will be subject to the following intake process:

1. Determine if the foreign national is symptomatic or asymptomatic as per the following instructions:
    - COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)
2. Perform Secondary Examination
    - Determine if they meet an exemption to the OIC and are permitted to make a claim;
    - Conduct queries in all applicable systems per existing procedures;
    - Initiate Refugee Claim in GCMS;
    - Collect biometrics;
    - Conduct a Preliminary Risk Assessment in order to assess eligibility and once the eligibility assessment is made the following outcomes will



occur:

Claim assessed - Low Risk Case:

i. The processing of FNs seeking entry from the U.S. who make a claim for refugee protection and are assessed to be 'low risk' and appear to meet an exemption or exception to the STCA.
ii. Once the acknowledgement of claim process is completed, the claimant is permitted entry for further examination to complete the refugee intake processing (BSF536).

Claim assessed - High Risk/Complex Case:

i. Completion by CBSA at the POE or other CBSA location once the acknowledgement of claim process is completed in consideration of appropriate conditions to ensure compliance;
ii. Arrest and/or detention (A55) considerations are to be made using the Temporary Measures to Guide Decisions to Detain and Consideration of Alternatives to Detention.

Note: POE's are responsible for the resumption of claim processing as per regional procedures/processing models. Should a claimant request processing at another CBSA location, it is the responsibility of the initial POE to coordinate the resumption of processing with the claimants preferred processing location.

Should a POE decide to complete the refugee intake process at the time of arrival, all protocols to ensure the health and safety of officers and claimants must followed.

For claims assessed to be ineligible, removal orders will come into force as follows:

i. **101(1)(e) STCA:** immediately;

ii. **Other grounds of ineligibility - non-STCA:** seven (7) days;

iii. **101(1)(c.1):** seven (7) days with an expedited PRRA within 30 days by IRCC;

iv. **101(1)(d):** seven (7) days with an expedited risk assessment for *non-refoulement* within 30 days; and

v. **101(1)(f) cases:** suspend eligibility before referral to Refugee Protection Division to wait the outcome of an admissibility hearing or criminal court proceeding in Canada.

Note: Foreign Nationals determined ineligible under the STCA shall be ordered removed and returned to the U.S. immediately as per ss.48(2) of *IRPA*.



Post Claim Processing Procedures

Foreign Nationals who are permitted to make a claim for refugee protection in Canada while the OIC is in effect are subject to the same requirements as all other travellers as described in OIC 10. Officers are required to follow the process as described at the following link:

COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)

Transfer to Receiving Organizations

Upon completion of port of entry processing, should an individual require transportation and/or accommodations the following departments should be contacted based on whether the individual(s) are asymptomatic or symptomatic.

Asymptomatic Travellers - Immigration, Refugees and Citizenship Canada

Kathryn Jarrett-Ekholm
613-769-5105

Symptomatic Travellers - Public Health Agency of Canada

PHAC Central Notification System
1-833-615-2384
phac.cns-snc.aspc@canada.ca

Notification Process

POEs are to notify CBSA Case Management of all foreign nationals who have made a claim for refugee protection who are directed back to the U.S. or who are allowed into Canada as they meet an exception under the Quarantine Act and the OIC. Case Management can be notified via email (Case-Management@cbsa-asfc.gc.ca) with the following subject line: "COVID-19 Response – asylum claimant UCI:11-XXXX-XXXX". The email should also indicate whether the claimants current contact information (telephone number, address and/or email address) is on file for each claimant.

The above is in addition to any established regional notification processes.

Person(s) charged or convicted of an offence that is punishable by the death penalty

POEs must notify the Border Operations Centre immediately and prior to any decision or action is taken on a foreign national who has been charged with or convicted of an offence that is punishable by the death penalty, in the US or another country. The burden of proof is on the claimant to prove that they would be subject to the death



penalty.

Regional management

Regional supervisors and managers will ensure that the above instructions are implemented immediately, and will be responsible for regional best practices and for conducting quality assurance.

Resources:

For additional instructions on assessing asymptomatic and symptomatic travellers, and/or cases where no exemptions to the prohibition apply, please refer to OBO-2020-021 Regulatory Amendments to Implement Travel Prohibitions in Response to the COVID-19 Pandemic and/or shift briefing bulletin 2020-HQ-AC-03-25-B COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)

Contact Information:

Any questions regarding this bulletin should be directed to the following email address:

Border Services Officers: If you have any questions, please forward them through the regional Corporate and Program Services Divisions, which (if required) will then send an email to the Traveller Operations Division's generic inbox: **ops_travellers-voyageurs@cbsa-asfc.gc.ca**.

Approved by:

John Ommanney, Director General
Travellers Branch

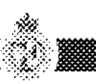
Christian Lorenz, Director General
Intelligence and Enforcement Branch

Effective Date:	**Updated:**

Additional bulletins:







BULLETIN OPÉRATIONNEL : OBO-2020-XXX

TITRE : Intervention en lien avec la COVID-19 : Traitement des demandes d'asile à un point d'entrée terrestre ou ferroviaire désigné

Date d'émission : 21 avril 2020	**Modes :** Terrestre et ferroviaire	**Public cible :** Tous les agents qui administrent et appliquent la *LIPR*	**Domaine d'intérêt :** National

Détails :

Les présentes instructions visent expressément les ressortissants étrangers qui présentent une demande d'asile à un point d'entrée (PDE) terrestre ou ferroviaire désigné. L'Entente entre le gouvernement du Canada et le gouvernement des États-Unis d'Amérique pour la coopération en matière d'examen des demandes d'asile présentées par des ressortissants de pays tiers (connu sous le nom d'Entente sur les tiers pays sûrs [ETPS]) continue de s'appliquer aux points d'entrée terrestres et ferroviaires pour les ressortissants étrangers qui cherchent à entrer au Canada pour y présenter une demande d'asile. Cette Entente s'applique, que le ressortissant étranger présente ou non des symptômes en lien avec la COVID-19.

Remarque : on continue généralement d'interdire l'entrée aux ressortissants étrangers qui cherchent à entrer par voie terrestre dans un lieu autre qu'un point d'entrée officiel, ou par voie aérienne ou maritime. Pour de plus amples informations et des instructions sur le traitement des arrivées selon ces trois modes, veuillez-vous référer au bulletin opérationnel: **Intervention en lien avec la COVID-19 – Ressortissants étrangers en provenance des États-Unis qui présentent une demande d'asile aux aéroports, aux ports maritimes et entre les points d'entrée**

Renseignements généraux

Ce décret (familièrement appelé OIC-11), intitulé Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance loi des États-Unis) – 3, est pris en vertu de l'article 58 de la *Loi sur la mise en quarantaine*.

Ce décret en conseil est en vigueur pour la période commençant le 22 avril 2020 (00h01) et se terminant le 21 mai 2020.



Le décret abroge et remplace le décret C.P 2020 – 0185 intitulé Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance loi des États-Unis) (appelé OIC-9), qui est entré en vigueur le 26 mars 2020.

L'OIC 11 crée des exceptions à l'interdiction générale d'entrer au Canada dans le but de présenter une demande d'asile. Plus précisément, le nouveau décret prévoit qu'il est interdit à un ressortissant étranger d'entrer au Canada dans le but de présenter une demande d'asile, sauf si le ressortissant étranger :

- cherche à entrer au Canada à un point d'entrée terrestre et ferroviaire désigné par le ministre de la Sécurité publique et de la Protection civile en vertu de l'article 26 du *Règlement sur l'immigration et la protection des réfugiés*;
    - est une personne visée par l'article 159.2, 159.5 ou 159.6 du *Règlement sur l'immigration et la protection des réfugiés*;
    - est un citoyen des États-Unis;
- cherche à entrer au Canada autrement qu'à un point d'entrée terrestre ou ferroviaire et est une personne qui est un citoyen des États-Unis, un apatride résidant habituellement aux États-Unis ou un mineur non accompagné et non marié sans parent ni tuteur légal aux États-Unis ;
- est une personne dont la présence au Canada est déterminée par le ministre de la Sécurité publique et de la Protection civile ou le ministre de la Citoyenneté et de l'Immigration comme étant dans l'intérêt national ou public, tout en reconnaissant les intérêts primordiaux du Canada et de sa population en matière de santé publique. ***(Ne s'applique pas actuellement aux points d'entrée terrestres et ferroviaires)***

Mesures requises par les agents et les délégués du ministre (DM) qui administrent et appliquent la *LIPR*

Les demandes d'asile seront soumises à la procédure de réception suivante :

1. Déterminez si le ressortissant étranger est symptomatique ou asymptomatique selon les instructions suivantes :
    - COVID-19 – Mesures frontalières renforcées à l'appui de la quarantaine obligatoire (voyageurs asymptomatiques) et de l'isolement obligatoire (voyageurs symptomatiques) (tous les modes de transport)
2. Effectuez un second contrôle :
    - déterminez si le ressortissant étranger répond à une exemption du décret et s'il est autorisé à présenter une demande;



- effectuez des recherches dans tous les systèmes applicables selon les procédures existantes;
- Présenter une demande d'asile dans le SMGC;
- recueillez les données biométriques;
- effectuez une évaluation préliminaire des risques afin d'évaluer l'éligibilité et, une fois l'évaluation effectuée, les options seront les suivantes :

Demande évaluée – Cas présentant un faible risque :

i. Le traitement des demandes d'entrée de ressortissant étranger en provenance des États-Unis qui présentent une demande d'asile, qui sont jugées « à faible risque » et qui semblent satisfaire à une exemption ou à une exception en vertu de l'ETPS.
ii. Une fois le processus d'accusé de réception de la demande terminé, le demandeur est autorisé à entrer pour un examen complémentaire afin de terminer le traitement de la demande d'asile (BSF536).

Demande évaluée – Cas présentant un risque élevé/complexe :

i. Achèvement par l'ASFC au PDE ou à un autre emplacement de l'ASFC une fois le processus d'accusé de réception de la demande terminé, en tenant compte des conditions appropriées pour assurer la conformité.
ii. Les considérations relatives à l'arrestation et à la détention (A55) doivent être prises en compte à l'aide du document Temporary Measures to Guide Decisions to Detain and Consideration of Alternatives to Detention.

Remarque : les agents des PDE sont responsables de la reprise du traitement des demandes conformément aux procédures et modèles de traitement régionaux. Si un demandeur demande que sa demande soit traitée dans un autre bureau de l'ASFC, il incombe à l'agent du PDE initial de coordonner la reprise du traitement avec le bureau de traitement préféré du demandeur.

Si un agent du PDE décide de terminer le processus de demande du réfugié au moment de leur arrivée, tous les protocoles visant à garantir la santé et la sécurité des agents et des demandeurs doivent être respectés.



Pour les demandes jugées irrecevables, une mesure de renvoi sera prise comme suit :

i. **101 (1)e) ETPS :** immédiatement;

ii. **Autres motifs d'inéligibilité – non lié à l'ETPS :** sept (7) jours;

iii. **101 (1)c.1) :** sept (7) jours avec un ERAR accéléré dans les 30 jours par IRCC;

iv. **101 (1)d) :** sept (7) jours avec une évaluation accélérée des risques pour le *non-refoulement* dans les 30 jours;

v. **cas 101 (1)f) :** suspendre l'éligibilité avant de renvoyer à la Section de la protection des réfugiés pour attendre La décision d'une enquête ou d'une procédure judiciaire pénale au Canada.

Remarque : Les demandes des ressortissants étrangers jugés non admissibles en vertu de l'ETPS doivent être retirées et les personnes doivent être renvoyées aux États-Unis immédiatement, conformément à l'article 48 (2) de la *LIPR*.

Procédures après le traitement de la demande

Les ressortissants étrangers qui sont autorisés à présenter une demande d'asile au Canada pendant que le décret est en vigueur sont soumis aux mêmes exigences que tous les autres voyageurs, comme le décrit le décret 10 (OIC 10). Les agents sont tenus de suivre le processus décrit dans le lien suivant :

COVID-19 – Mesures frontalières renforcées à l'appui de la quarantaine obligatoire (voyageurs asymptomatiques) et de l'isolement obligatoire (voyageurs symptomatiques) (tous les modes de transport)

Transfert aux organismes destinataires

Une fois le traitement au point d'entrée terminé, si une personne a besoin de transport et d'hébergement, on doit contacter les employés des services suivants selon que la personne est asymptomatique ou symptomatique.

Voyageurs asymptomatiques - Immigration, Réfugiés et Citoyenneté Canada

Kathryn Jarrett-Ekholm
613-769-5105

Voyageurs symptomatiques - Agence de la santé publique du Canada

Ligne centrale de notification de l'ASPC
1-833-615-2384
phac.cns-snc.aspc@canada.ca



Processus de notification

Les agents des PDE doivent informer le Service de gestion des cas de l'ASFC de tous les ressortissants étrangers qui sont renvoyés aux États-Unis ou qui sont autorisés à entrer au Canada car ils répondent à une exception en vertu de la loi sur la quarantaine et de décret. Les responsables de la gestion des cas peuvent être avisés par courriel (Case-Management@cbsa-asfc.gc.ca) en indiquant l'objet suivant : « Intervention en lien avec la COVID-19 : — demandeur d'asile UCI : 11-XXXX-XXXX ». Le message doit également indiquer si les coordonnées actuelles (numéro de téléphone et adresse électronique) de chaque demandeur d'asile se trouvent dans leur dossier.

Ce qui précède s'ajoute aux processus de notification régionaux établis.

Personne accusée ou reconnue coupable d'une infraction passible de la peine de mort

Les PDE doivent informer le Centre des Opérations Frontalières immédiatement et avant toute décision ou action prise à l'égard d'un étranger qui a été accusé ou reconnu coupable d'une infraction passible de la peine de mort, aux États-Unis ou dans un autre pays. La charge de la preuve incombe au demandeur d'asile qui doit prouver qu'il serait soumis à la peine de mort.

Gestion régionale

Les superviseurs et gestionnaires régionaux veilleront à ce que les instructions ci-dessus soient mises en œuvre immédiatement, et seront responsables des pratiques régionales exemplaires et de la conduite de l'assurance qualité.

Ressources

Pour obtenir des instructions supplémentaires sur l'évaluation des voyageurs asymptomatiques et symptomatiques, ainsi que des cas où aucune exception à l'interdiction ne s'applique, veuillez consulter l' l'OBO-2020-021 Modifications réglementaires pour la mise en œuvre des interdictions de voyager en réponse à la pandémie COVID-19 ou le bulletin d'information de quart de travail portant ce titre : COVID-19 – Mesures frontalières renforcées à l'appui de l'auto-isolement obligatoire (tous les modes).

Coordonnées des personnes-ressources



Toute question concernant ce bulletin doit être envoyée à l'adresse électronique suivante :

Agents des services frontaliers : Si vous avez des questions, veuillez les transmettre au bureau régional de la Division des services corporatifs et des programmes, qui (au besoin) enverra un courriel à la boîte de réception générique des Opérations liées aux voyageurs : **ops_travellers-voyageurs@cbsa-asfc.gc.ca**.

Approuvé par :

John Ommanney, directeur général
Direction générale des voyageurs

Christian Lorenz, directeur général
Direction générale du renseignement et de l'exécution de la loi

Date d'entrée en vigueur :	**Mise à jour :**

Autres bulletins :







Bulletin d'information sur les quarts de travail

Objet :	**Restriction de l'entrée au Canada de citoyens américains et d'autres ressortissants étrangers en provenance des États-Unis (tous les modes)**
Date :	**Le 26 mars 2020 (version 2 : Mise à jour le 21 avril)**

Le présent bulletin d'information sur les quarts de travail s'applique **uniquement** aux ressortissants étrangers (y compris les citoyens des États-Unis [É.-U.]) et doit être lu conjointement avec le bulletin opérationnel OBO-2020-021, Modifications réglementaires afin de mettre en œuvre les interdictions de voyager établies afin de répondre à la pandémie de la COVID-19.

Les interdictions d'entrée ne s'appliquent pas aux ressortissants étrangers qui :

- sont des personnes protégées au sens du paragraphe 95(2) de la *Loi sur l'immigration et la protection des réfugiés* (LIPR);
- sont des Indiens inscrits en vertu de la *Loi sur les Indiens*;
- sont des individus exemptés du décret d'urgence par l'administratrice en chef de la santé publique parce que leur présence au Canada ne poserait pas un risque de préjudice grave pour la santé publique;
- entrent au pays pour présenter une demande de statut de réfugié et ne seront pas renvoyées temporairement conformément au bulletin opérationnel Intervention en lien avec la COVID-19 – Ressortissants étrangers en provenance des États-Unis qui présentent une demande d'asile aux aéroports, aux ports maritimes et entre les points d'entrée ou Intervention en lien avec la COVID-19 : Traitement des demandes d'asile à un point d'entrée terrestre ou ferroviaire désigné.

Le Décret en conseil 2020-0263 (communément appelé Décret 11), intitulé Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance des États-Unis), est en vigueur pour la période commençant le 22 avril 2020 (00:01) et se terminant le 21 mai 2020.

Détails :

À la suite de la pandémie de la COVID-19, le Canada et les États-Unis ont restreint tous les voyages facultatifs ou discrétionnaires (non essentiels) par-delà leur frontière. Dans les deux pays, les personnes doivent faire preuve de prudence en évitant tout contact inutile avec les autres (éloignement physique).

Le Canada et les États-Unis reconnaissent la nécessité cruciale de préserver les chaînes d'approvisionnement entre les deux pays. Ces chaînes d'approvisionnement veillent à ce que la nourriture, le carburant et les médicaments vitaux parviennent à la population des deux côtés de la frontière. Cette nouvelle mesure ne touchera pas les chaînes d'approvisionnement.





Norme à respecter pour l'entrée :

Pour qu'un citoyen canadien ou un autre ressortissant étranger entre au Canada à partir des États-Unis :

- **il doit être asymptomatique;**
- **son entrée ne doit pas avoir un but optionnel ou discrétionnaire (non essentiel);**
- **il doit être en mesure de se conformer à l'exigence de mise en quarantaine en fonction des raisons du voyage et de la durée prévue du séjour s'il est tenu de le faire.**

Application de l'interdiction d'entrer en provenance des États-Unis :

L'agent des services frontaliers (ASF) doit d'abord déterminer si le voyageur affiche des symptômes liés à la COVID-19. Si aucun symptôme de ce genre n'est présent, l'ASF demandera au voyageur les raisons de son entrée au Canada afin de déterminer si elles sont de nature facultative ou discrétionnaire. L'ASF devrait poser d'autres questions discrétionnaires au besoin pour aider à déterminer les raisons de l'entrée.

Raisons de voyage facultatives ou discrétionnaires

Il est interdit à un ressortissant étranger d'entrer au Canada à partir des États-Unis si les raisons de son voyage sont facultatives ou discrétionnaires, comme le tourisme, les loisirs ou les divertissements.

Consultez l'annexe A à 2020-HQ-03-26 et 2020-HQ-AC-03-26-B (Restrictions d'entrée et exemptions – voyages essentiels ou non discrétionnaires et voyages non essentiels ou discrétionnaires) pour obtenir des renseignements sur la façon de déterminer si un voyage est non discrétionnaire (essentiel) ou encore discrétionnaire ou facultatif (non essentiel).

Consultez l'annexe B à 2020-HQ-03-26 et 2020-HQ-AC-03-26-B (Déterminer si l'entrée sera à des fins facultatives ou discrétionnaires et si une personne est exemptée de la mise en quarantaine obligatoire) pour les scénarios qui ont été formulés afin d'aider les ASF et les agents de liaison à déterminer si l'entrée est à des fins discrétionnaires ou facultatives.

Impossible de se conformer à l'exigence de quarantaine en fonction du but et de la durée du voyage

Cela s'applique aux étrangers qui viennent au Canada pour un voyage non discrétionnaire (essentiel)et qui ne sont pas en mesure de se conformer à l'exigence de mise en quarantaine pour la période de 14 jours.

Si un ressortissant étranger satisfait à tous les critères d'entrée et est en mesure de se conformer à la période de quarantaine obligatoire de 14 jours, mais qu'il ne dispose pas d'installations de quarantaine appropriées, il doit être renvoyé à l'Agence de la santé publique du Canada (ASPC) conformément aux protocoles existants décrits dans le bulletin d'information sur les quarts de travail 2020-HQ-AC-03-25-B (COVID-19 – Mesures frontalières renforcées à l'appui de la mise en quarantaine obligatoire (voyages asymptomatiques) et de l'isolement obligatoire (voyages symptomatiques) (tous les modes)).

Remarque : Un voyageur n'a pas besoin de rester au Canada pour satisfaire à l'exigence de quarantaine: un voyageur peut quitter le Canada avant la fin des 14 jours. Par conséquent, les voyageurs qui cherchent à entrer au Canada en route vers une autre destination américaine n'auront pas à effectuer 14 jours de quarantaine.





Mesures requises par les ASF :

Processus aux points d'entrée (PE) pour les ressortissants étrangers :

L'ASF doit déterminer si les voyageurs sont symptomatiques ou asymptomatiques en posant les questions de dépistage des symptômes de santé décrites dans le bulletin d'information sur les quarts de travail 2020-HQ-AC-03-25-B (COVID-19 – Mesures frontalières renforcées à l'appui de la mise en quarantaine obligatoire (voyages asymptomatiques) et de l'isolement obligatoire (voyages symptomatiques) (tous les modes)).

Mode aérien : Un ASF établira l'objectif de l'entrée au premier point de contact avec un voyageur à un kiosque de ligne d'inspection primaire (LIP), au triage NEXUS ou à la position de podium/triage pour les aéroports dotés de kiosques.

L'ASF inscrira les réponses au verso du reçu du kiosque ou de la carte de déclaration E311 de l'ASFC.

Modes terrestre, ferroviaire ou du traversier : S'il y a lieu, le voyageur fait l'objet d'un renvoi secondaire; l'ASF de la ligne d'inspection primaire (LIP) inscrira les réponses au verso du formulaire E67 (BSF235), du formulaire de renvoi secondaire ou de la carte de déclaration E311 de l'ASFC, selon le cas.

Dans tous les modes, les ASF doivent utiliser le codage suivant :
- Type de voyage : Discrétionnaire (non essentiel) : « Disc ». Si le voyage est non discrétionnaire (essentiel) – laisser vide.

Si, d'après l'objet du voyage et la durée prévue du séjour, l'ASF détermine que la personne ne sera pas en mesure de se conformer à la période de quarantaine obligatoire de 14 jours, l'ASF marquera la réponse comme suit :
- Impossible de répondre à l'exigence de quarantaine « La quarantaine n'est pas possible ». Si l'exigence de quarantaine peut être respectée, laissez vide.

Si le voyageur satisfait à toutes les exigences d'entrée prévues par le Décret 11 et qu'il n'y a pas de préoccupations en matière d'admissibilité, les ASF doivent suivre le processus décrit dans le bulletin d'information sur les quarts 2020-HQ-AC-03-25-B (COVID-19 – Mesures frontalières renforcées à l'appui de la mise en quarantaine obligatoire (voyages asymptomatiques) et de l'isolement obligatoire (voyages symptomatiques) (tous les modes)), en fournissant au voyageur le document vert et en posant toutes les questions pertinentes liées à son lieu de quarantaine. Au besoin, le voyageur doit être dirigé vers l'ASPC pour déterminer un lieu de quarantaine approprié.

Asymptomatique

Le voyage est non discrétionnaire ou non facultatif (essentiel) et les voyageurs répondent à tous les autres critères pour entrer au Canada

Ces voyageurs doivent être autorisés à entrer au Canada tant qu'il n'y a pas d'autres préoccupations en matière d'immigration.

Suivez toutes les procédures décrites dans le bulletin d'information sur les quarts de travail 2020-HQ-AC-03-25-B (COVID-19 – Mesures frontalières renforcées à l'appui de la mise en quarantaine obligatoire (voyages asymptomatiques) et de l'isolement obligatoire (voyages symptomatiques) (tous les modes)).

Remarque : Si un ressortissant étranger arrive à un point d'entrée des États-Unis et que son but au Canada est considéré comme non discrétionnaire, il devrait être autorisé à demander un



permis de travail au PE s'il est tenu de le faire et qu'il a la permission de le faire en vertu de la LIPR.

Le voyage est facultatif ou discrétionnaire (non essentiel)

Les ressortissants étrangers qui cherchent à entrer au Canada pour des raisons facultatives ou discrétionnaires doivent être informés qu'ils sont assujettis à l'interdiction d'entrer au Canada et qu'ils ne sont pas autorisés à entrer au Canada conformément au Décret 11 et doivent être renvoyés aux É.-U. conformément à l'alinéa 41*d*) du *Règlement sur l'immigration et la protection des réfugiés* (RIPR).

Pour de plus amples renseignements, veuillez consulter le document OBO-2020-021, Modifications réglementaires pour la mise en œuvre des interdictions de voyager en réponse à la pandémie COVID-19.

Ressortissants étrangers qui ne sont pas en mesure de satisfaire à l'exigence de quarantaine:

Il est interdit à un ressortissant étranger d'entrer au Canada en provenance des É.-U. si, selon le but de l'entrée et la durée prévue de son séjour, il ne sera pas en mesure de se conformer à l'exigence de mise en quarantaine.

Cela s'applique aux étrangers qui viennent au Canada pour un voyage non discrétionnaire (essentiel)et qui ne sont pas en mesure de se conformer à l'exigence de mise en quarantaine pour la période de 14 jours.

Remarque : Si un ressortissant étranger satisfait à la norme d'entrée et est en mesure de se conformer à la période de quarantaine obligatoire de 14 jours, mais qu'il ne dispose pas d'installations de quarantaine appropriées, il doit aussi être renvoyé à l'Agence de la santé publique du Canada (ASPC) conformément aux protocoles existants décrits dans le bulletin d'information sur les quarts de travail 2020-HQ-AC-03-25-B (COVID-19 – Mesures frontalières renforcées à l'appui de la mise en quarantaine obligatoire (voyages asymptomatiques) et de l'isolement obligatoire (voyages symptomatiques) (tous les modes)).

Symptomatique

Les ressortissants étrangers qui arrivent des É.-U. et qui ont soit de la fièvre, soit une toux; ou de la fièvre et des difficultés respiratoires sont dans l'interdiction d'entrer au Canada, même si elles satisfont à toutes les autres conditions d'entrée.

Véhicule privé (toutes les raisons de voyage)

Si un voyageur est symptomatique, les ASF doivent déterminer si le voyageur a besoin de soins médicaux immédiats. Si le voyageur a besoin de soins médicaux immédiats, le service médical d'urgence local doit être appelé. L'ASF reportera l'examen conformément à l'article 23 de la LIPR jusqu'à ce que la personne ait obtenu le feu vert de l'agent de quarantaine de l'ASPC ou qu'elle n'ait plus besoin de soins médicaux. L'article 23 comprendra des conditions obligatoires (article 43 du Règlement) et devrait inclure des conditions exigeant au ressortissant étranger de se conformer à toute mesure imposée en vertu de la *Loi sur la mise en quarantaine* en vertu du nouveau pouvoir réglementaire R43 (1)(e) et diriger le demandant de se présenter de nouveau pour subir l'examen au terme de sa période d'auto-isolement ou de traitement. Lorsque le ressortissant étranger devient asymptomatique ou qu'il n'a plus besoin de soins médicaux



immédiats, l'examen peut reprendre et l'agent déterminera l'admissibilité en fonction des processus en place.

Il est interdit à un ressortissant étranger qui n'a pas besoin de soins médicaux immédiats d'entrer au Canada à partir des É.-U. s'il a la COVID-19 ou s'il a des signes et des symptômes liés à la COVID-19, y compris :

a) de la fièvre et une toux; ou
b) de la fièvre et des difficultés respiratoires.

Les ressortissants étrangers qui ont une combinaison de fièvre et de toux; ou de la fièvre et des difficultés respiratoires seront informés qu'ils sont assujettis à l'interdiction d'entrée conformément au Décret 11. Ces ressortissants étrangers seront renvoyés aux É.-U.

Pour de plus amples renseignements, veuillez consulter le document OBO-2020-021, Modifications réglementaires pour la mise en œuvre des interdictions de voyager en réponse à la pandémie COVID-19.

Véhicule public (toutes les raisons de voyage)

Un ressortissant étranger qui n'a pas besoin de soins médicaux immédiats, mais qui répond « OUI » à la question de dépistage renforcé doit être traité conformément aux procédures de mesure de dépistage renforcé existantes, conformément au bulletin d'information sur les quarts de travail 2020-HQ-AC-03-25-B (COVID-19 – Mesures frontalières renforcées à l'appui de la mise en quarantaine obligatoire (voyages asymptomatiques) et de l'isolement obligatoire (voyages symptomatiques) (tous les modes)).

L'ASF doit remettre au voyageur une trousse de masque de l'ASPC, lui diriger de porter le masque chirurgical contenu dans la trousse et faire un renvoi obligatoire pour que le voyageur se présente à un AQ pour une entrevue plus approfondie. Si aucun AQ de l'ASPC ne se trouve sur place, les ASF suivront les procédures habituelles pour communiquer avec eux par l'intermédiaire du Système de notification centrale de l'ASPC. Les ASF doivent suivre les directives de l'AQ de l'ASPC une fois que ce dernier a mené une évaluation de la santé.

L'AQ de l'ASPC ordonne à un voyageur symptomatique de s'auto-isoler

Si l'AQ ordonne au ressortissant étranger de s'auto-isoler, l'ASF reportera l'examen en vertu de l'article 23 de la LIPR pendant la durée de la période d'isolement, jusqu'à ce que la personne soit autorisée par l'AQ de l'ASPC. L'article 23 comprendra des conditions obligatoires (article 43 du Règlement) et devrait inclure des conditions exigeant au ressortissant étranger de se conformer à toute mesure imposée en vertu de la *Loi sur la mise en quarantaine* en vertu du nouveau pouvoir de réglementation R43(1)(e) et lui demandant de se présenter de nouveau pour subir l'examen au terme de sa période d'auto-isolement ou de son traitement. Lorsque le ressortissant étranger devient asymptomatique ou qu'il n'a plus besoin de soins médicaux immédiats, l'examen peut reprendre et l'agent déterminera l'admissibilité en fonction des processus en place. Les préoccupations quant à l'admissibilité sont suspendues pendant cette période afin d'accorder la priorité aux considérations en matière de santé publique. Une fois qu'un voyageur interdit de territoire devient asymptomatique, il faut lui dire qu'il ne peut pas entrer au Canada en raison de l'ordonnance d'interdiction et il pourra retirer sa demande d'entrée au Canada conformément à l'article 42 du RIPR.

Pour de plus amples renseignements, veuillez consulter OBO-2020-021, Modifications réglementaires afin de mettre en œuvre les interdictions de voyager établies afin de répondre à la pandémie de la COVID-19.



<u>L'AQ de l'ASPC détermine que le voyageur ne constitue pas une préoccupation pendant le traitement au PE</u>

Si l'AQ de l'ASPC autorise le voyageur au PE et indique qu'il ne constitue pas une préoccupation et le libère, l'ASF devrait :

- Les ressortissants étrangers dont l'entrée n'est pas interdite en vertu de la *Loi sur la quarantaine* peuvent être autorisés à entrer au Canada, en l'absence d'autres préoccupations en matière d'admissibilité. Les ASF doivent suivre le processus décrit dans le bulletin d'information sur les quarts 2020-HQ-AC-03-25-B (COVID-19 – Mesures frontalières renforcées à l'appui de la mise en quarantaine obligatoire (voyages asymptomatiques) et de l'isolement obligatoire (voyages symptomatiques) (tous les modes)), et suivre les directives de l'agent de quarantaine de l'ASPC.
- Les ressortissants étrangers dont l'entrée est interdite en vertu de l'arrêté d'urgence en vertu du Décret 11 seront assujettis à un renvoi temporaire aux É.-U.

L'ASPC fournira conseil et soutien, si requis. Les ASF peuvent demander conseil au surintendant, au besoin.

Demandes d'asile

- <u>Demande d'asile dans les aéroports, aux ports maritimes et entre les points d'entrée</u>: Consultez le bulletin opérationnel Intervention en lien avec la COVID-19 – Ressortissants étrangers en provenance des États-Unis qui présentent une demande d'asile aux aéroports, aux ports maritimes et entre les points d'entrée.
- <u>Demande d'asile aux point d'entrée terrestre ou ferroviaire désigné</u> : Consultez le bulletin opérationnel Intervention en lien avec la COVID-19 : Traitement des demandes d'asile à un point d'entrée terrestre ou ferroviaire désigné

Mesures à prendre par les ASF travaillant au Centre de déclaration par téléphone (CDT) :
<u>Aviation générale</u>

Les ASF qui travaillent au CDT informeront l'exploitant d'aéronef pendant le premier appel au CDT (préavis de 48 à 2 heures) que les ressortissants étrangers qui arrivent au Canada en provenance des États-Unis qui sont symptomatiques de la COVID-19; ou qui se déplacent à des fins facultatives ou discrétionnaires; et qui, selon le but du voyage et la durée prévue du séjour, ne sont pas en mesure de se conformer à la période de quarantaine obligatoire de 14 jours, ne seront pas autorisés à demander l'entrée au Canada.

L'ASF continuera de traiter les voyageurs conformément aux mesures de contrôle renforcées décrites dans le bulletin d'information sur les quarts de travail <u>2020-HQ-AC-03-25-B (COVID-19 – Mesures frontalières renforcées à l'appui de la mise en quarantaine obligatoire (voyages asymptomatiques) et de l'isolement obligatoire (voyages symptomatiques) (tous les modes))</u>.

<u>Bateaux de plaisance, motoneiges et véhicules</u>

Dans le cas de membres des programmes NEXUS et CANPASS – Bateaux privés des navires de plaisance, les ASF travaillant au CDT informeront l'exploitant du bateau de plaisance pendant le premier appel au CDT (4 heures à 30 minutes de préavis) que les ressortissants étrangers qui arrivent au Canada en provenant des É.-U. sont assujettis à des interdictions de voyage. Dans le cas des bateaux de plaisance, des motoneiges et des véhicules non membres, ces renseignements seront fournis à l'appelant lorsqu'il appellera le CDT pour signaler son arrivée au Canada.

L'agent du CDT interrogera les voyageurs conformément aux mesures de contrôle renforcées et leur demandera le but de leur entrée au Canada. Il informera l'exploitant du véhicule que ceux qui voyagent à des fins non essentielles ou qui, d'après le but de voyage et de la durée prévue de séjour, sont incapables de se conformer à la période de quarantaine obligatoire de 14 jours ne seront pas autorisés à demander l'entrée au Canada conformément au Décret 11.

Renvois secondaires

L'agent du CDT effectuera un renvoi secondaire obligatoire dans le système du CDT pour un contrôle de quarantaine pour **tous** les véhicules qui se déclarent par l'entremise du CDT (taux de renvoi de 100 %).

L'agent du CDT avisera le surintendant du bureau de vérification concerné du renvoi et l'informera des éléments suivants si les voyageurs :

- qui se trouvent à bord d'un véhicule entrant ou arrivant sont atteints de la COVID-19 ou présentent des signes ou des symptômes de maladie associés au coronavirus, comme de la fièvre et une toux ou de la fièvre et des difficultés respiratoires; et/ou
- viennent au Canada pour des raisons facultatives ou discrétionnaires; et/ou
- d'après le but du voyage et la durée prévue du séjour, ne sont pas en mesure de se conformer à la période de quarantaine obligatoire de 14 jours.

La CVR fournira au surintendant tous les détails sur les véhicules et les passagers liés au passage.

Remarque : Si le voyageur se voit refuser l'entrée conformément au Décret 11 et que le bureau de vérification n'est pas en mesure de se présenter pour rencontrer le véhicule, l'ASF du CDT informera l'exploitant ou les voyageurs qu'ils ne sont pas autorisés à entrer au Canada et les renverra temporairement aux É.-U. conformément à l'alinéa 41d) du RIPR. L'ASF du CDT **ne** fournira **pas** le numéro de rapport à l'exploitant du véhicule, et il demandera à ce dernier de faire demi-tour et de quitter immédiatement l'aérodrome, les eaux ou le sol canadiens (motoneiges ou véhicules). L'ASF du CDT prendra des notes pertinentes dans le système du CDT concernant les circonstances du passage, notera que les voyageurs ont reçu l'ordre de quitter le Canada (renvoi temporaire), informera l'agent du renseignement du Centre d'opérations de la sécurité maritime (COSM) selon les instructions ci-dessous et complétera l'entrée et prendra les notes nécessaires dans le Système mondial de gestion des cas (SMGC) pour consigner l'ordre donné aux voyageurs.

Notification aux agents du renseignement du COSM de l'ASFC

En plus de prendre une mesure de renvoi temporaire à l'exploitant du navire, l'ASF informera le COSM respectif de l'ASFC intégré en envoyant un courriel à l'un des agents du renseignement suivants de l'ASFC (selon l'emplacement géographique du navire à son arrivée)

- COSM de l'Ouest : Robin.Whitney@cbsa-asfc.gc.ca
- COSM des Grands Lacs : Leticia.Hoffer-Chapman@cbsa-asfc.gc.ca
- COSM de l'Est et de l'Arctique : Lisa.DelVillano@cbsa-asfc.gc.ca

Mesures à prendre par les ASF et par les surintendants qui travaillent dans les bureaux de vérification :

Les ASF chargés de la vérification déploieront tous les efforts pour assister à tous les renvois du CDT concernant des interdictions de voyage et des mesures frontalières renforcées. Le surintendant discutera de la situation avec les ASF chargés de la vérification qui répondent aux renvois du CDT pour les véhicules d'arrivée et s'assurera que les ASF disposent de l'équipement de protection individuelle adapté à leur situation.

Les voyageurs qui sont considérés comme symptomatiques, et voyageant pour des raisons non essentielles, ou qui sont incapables de respecter l'exigence de quarantaine doivent être avertis



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qu'ils sont assujettis à l'interdiction d'entrée et qu'ils ne sont pas autorisés à entrer au Canada conformément à l'ordonnance d'urgence de l'article 58 de la *Loi sur la mise en quarantaine*. L'ASF doit suivre le processus concernant les voyages non essentiels décrit ci-dessus et renvoyer les voyageurs aux É.-U. conformément à l'alinéa 41d) du RIPR, et prendre les mesures et notes nécessaires dans le système du CDT et le SMGC.

Si une mesure de renvoi est prise, l'ASF responsable de la vérification informera le COSM de l'ASFC intégré selon les instructions ci-dessus.

Mesures à prendre par les surintendants :

Les surintendants doivent s'assurer que les agents de première ligne suivent les procédures susmentionnées et qu'ils continuent de suivre toutes les procédures précédentes en place.

Les surintendants doivent s'assurer que les données appropriées sont saisies dans l'Application de rapport opérationnel (ARO) sous les en-têtes appropriés. Les données doivent être saisies dans l'ARO par les points d'entrée pour la période précédente de 24 heures (de 0 h à 23 h 59) au plus tard à 6 h (HAE). Consulter le bulletin d'information sur les quarts de travail : 2020-HQ-AC-02-08-B Rapports – COVID-19 pour les instructions de rapport et plus d'information.

Demandes de renseignement :

Les agents peuvent adresser toute question par l'entremise des divisions régionales des services corporatifs et des programmes qui, au besoin, enverront un courriel à l'adresse générique du Groupe de travail sur le nouveau coronavirus : CBSA.Corona_Virus_TF-GT_virus_Corona.ASFC@cbsa-asfc.gc.ca.

Références :

(COVID-19 – Mesures frontalières renforcées à l'appui de la mise en quarantaine obligatoire (voyages asymptomatiques) et de l'isolement obligatoire (voyages symptomatiques) (tous les modes)
2020-HQ-AC-03-25-B, Annexe A : ASPC – Collecte de données sur les contacts (conformité et surveillance)
2020-HQ-AC-03-26 : Interdiction pour certains ressortissants étrangers d'entrer au Canada de n'importe quel pays, sauf les États-Unis
2020-HQ-AC-03-26-B : Restrictions sur les voyages non essentiels au Canada de citoyens américains et d'autres ressortissants étrangers arrivant des États-Unis (tous les modes)
Annexe A : Restrictions d'entrée et exemptions – voyages essentiels ou non discrétionnaires et voyages non essentiels ou discrétionnaires
Annexe B : Déterminer si l'entrée sera à des fins facultatives ou discrétionnaires et si une personne est exemptée de la mise en quarantaine obligatoire
Procédures opérationnelles normalisées sur la mise en quarantaine
2019-HQ-AC-05-15 : Modifications aux services de l'Agence de la santé publique du Canada (ASPC) sur la mise en quarantaine : nouvelles procédures d'avis de l'ASPC
Outil de travail : Rôle de l'ASF (agent de contrôle)
2020-HQ-AC-01-26 : Avis de santé au travail : nouveau coronavirus
2020-HQ-AC-02-08-B : Signalement – nouveau coronavirus (nCoV-2019)
Bulletin opérationnel - Modifications réglementaires afin de mettre en œuvre les interdictions de voyager établies afin de répondre à la pandémie de la COVID-19

Émis par : Le Groupe de travail sur le nouveau coronavirus




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Shift Briefing Bulletin

Subject:	**Restricting entry of U.S citizens and other foreign nationals into Canada from the United States (all modes)**
Date:	**March 26, 2020 (version 2: Updated April 21)**

This shift briefing bulletin **only** applies to foreign nationals (including United States [U.S.]citizens) and must be read in conjunction with operational bulletin OBO-2020-021, Regulatory Amendments to Implement Travel Prohibitions in Response to the COVID-19 Pandemic.

The prohibitions on entry do not apply to foreign nationals who are:

- protected persons within the meaning of s.95(2) of the Immigration and Refugee Protection Act (IRPA);
- registered as Indians under the Indian Act;
- individuals who have been exempt from the order by the Chief Public Health Officer because their presence in Canada would not pose a risk of significant harm to public health; or
- entering to make a refugee claim and will not be directed back under the operational bulletin - COVID-19 Response - Foreign Nationals arriving from the United States who make a claim for refugee protection at airports, marine ports and between ports of entry or COVID-19 Response - Processing claims for refugee protection at a designated land or rail port of entry

Order in Council 2020-0263 (colloquially referred to as OIC-11), entitled Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the United States), has effect for the period beginning on April 22, 2020 (00:01) and ending on May 21, 2020.

Details:

As a result of the COVID-19 pandemic, Canada and the U.S. have restricted all optional or discretionary (non-essential) travel across the Canada-U.S. border. In both countries, individuals are required to exercise caution by avoiding unnecessary contact with others (physical distancing).

Canada and the U.S. recognize the critical necessity to preserve supply chains between both countries. These supply chains ensure that food, fuel, and life-saving medicines reach people on both sides of the border. Supply chains will not be impacted by this new measure.

Standard to be met for entry:

In order for a U.S citizen or other foreign national to enter Canada from the U.S:

- **they must be asymptomatic; and**
- **their entry must not be for a purpose that is optional or discretionary (non-essential); and**
- **they must be able to comply with the requirement to quarantine based on their purpose of travel and intended length of stay if required to do so.**

Application of Prohibition on Entry from the United States:

The border services officer (BSO) must first determine whether the traveller is displaying any COVID-19 symptoms. If no such symptoms are present, the BSO will ask the traveller the purpose of their entry to Canada to determine if it is optional or discretionary in nature. The BSO should use additional discretionary questioning as required to help determine the purpose of the entry.



Optional or Discretionary Purpose of Travel

A foreign national is prohibited from entering Canada from the U.S. if the purpose of their trip is optional or discretionary, such as tourism, recreation or entertainment.

Consult Annex A to 2020-HQ-03-26 and 2020-HQ-AC-03-26-B (Entry Restrictions and Exemptions - Essential / Non-Discretionary Travel and Non-Essential / Discretionary Travel) for information related to determining if a travellers purpose of travel is non-discretionary (essential) or discretionary/ optional (non-essential).

Consult Annex B to 2020-HQ-03-26 and 2020-HQ-AC-03-26-B (Determining whether entry will be for a discretionary/optional purpose and whether an individual is exempt from mandatory quarantine) for scenarios that were developed to assist BSOs and liaison officers in determining whether entry is for a discretionary/optional purpose.

Unable to comply with quarantine requirement based on purpose and duration of travel:

This applies to foreign nationals who are coming to Canada for non-discretionary (essential) travel and are unable to comply with the requirement to quarantine for the 14 day period.

If a foreign national meets all criteria to enter, and is able to comply with the 14 day mandatory quarantine period, but does not have a suitable quarantine accommodation, they are to be referred to the Public Health Agency of Canada (PHAC) in accordance with existing protocols outlined in the shift briefing bulletin 2020-HQ-AC-03-25-B (COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)).

Note: A traveller does not need to remain in Canada to fulfill the 14 quarantine requirement: a traveller can exit Canada before the 14 days ends. Consequently, travellers who seek entry to Canada on route to another U.S. destination will not have to complete 14 days of quarantine.

Actions required by BSOs:

Port of Entry (POE) Process for foreign nationals:

The BSO is to determine if the travellers is symptomatic or asymptomatic by asking the health screening symptoms based questions outlined in the_shift briefing bulletin 2020-HQ-AC-03-25-B (COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)).

Air Mode: A BSO will establish the purpose of entry at the first point of contact with a traveller at a primary inspection line (PIL) booth, NEXUS triage or at podium/triage position for kiosk-enabled airports.

The BSO will mark the answers on the back of the kiosk receipt or the E311, CBSA Declaration Card.

Land, rail, marine or ferry: If applicable, and the traveller is being referred to secondary, the PIL BSO will mark the answers on the back of the E67 (BSF235), Secondary Referral form or E311, CBSA Declaration Card.

In all modes, BSOs are expected to use the following coding:

- Type of Travel: Discretionary (non-essential) "Disc". If non-Discretionary (essential) - leave blank

If, based on the foreign national's purpose of trip and intended duration of stay, the BSO determines that they will not be able to comply with the mandatory 14 day quarantine period, the BSO will mark the answer as follows:

- Unable to meet quarantine requirement "Quarantine not possible" or if quarantine requirement can be met, leave blank.

If the traveller meets all of the requirements for entry under OIC-11, and no inadmissibility concerns exist, BSOs are to follow the process outlined in shift briefing bulletin 2020-HQ-AC-03-25-B (COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)), including providing the traveller the green handout, and asking all relevant questions related to their quarantine accommodations. If required, the traveller is to be referred to PHAC to determine a suitable quarantine location.

Asymptomatic

Travel is Non-Discretionary or Not Optional (essential) and travellers meet all other criteria to enter Canada

These travellers are to be authorized entry into Canada as long as no other immigration concerns exist.

Follow all procedures outlined in shift briefing bulletin 2020-HQ-AC-03-25-B (COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)).

Note: If a foreign national arrives at a port of entry from the U.S., and their purpose in Canada is considered non-discretionary, they should be allowed to apply for a work permit at the POE if required and permitted to do so under IRPA.

Travel is optional or discretionary (non-essential)

Foreign nationals who seek entry for optional or discretionary reasons are to be advised that they are subject to the prohibition on entry and not allowed into Canada in accordance with OIC-11and are to be directed back to the U.S. as per R41(d) of the Immigration and Refugee Protection Regulations (IRPR).

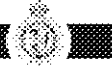
For more information please consult OBO-2020-021, Regulatory Amendments to Implement Travel Prohibitions in Response to the COVID-19 Pandemic.

Foreign Nationals who are unable to meet quarantine requirement

A foreign national is prohibited from entering Canada from the U.S. if, based on the purpose of entry and intended length of their stay, they will not be able to comply with the requirement to quarantine.

This applies to foreign nationals who are coming to Canada for non-discretionary (essential) travel and are unable to comply with the requirement to quarantine for the 14 day period.

Note: If a foreign national meets the standard for entry, and is able to comply with the 14 day mandatory quarantine period, but does not have a suitable quarantine accommodation, they will be referred to PHAC in accordance with existing protocols outlined in shift briefing bulletin 2020-



HQ-AC-03-25-B (COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)).

Symptomatic

Foreign nationals entering from the U.S who have a combination of either a fever and cough; or a fever and breathing difficulties are prohibited from entering Canada even if they meet all other conditions for entry.

Private Conveyance (all purposes of travel)

If a traveller is symptomatic, BSOs are to determine if the traveller requires immediate medical attention. If the traveller requires immediate medical attention, the local emergency medical service is to be called. The BSO will defer the examination in accordance with section 23 of IRPA until such time as the person is cleared by the PHAC QO or released from medical care. A23 will include mandatory conditions (R43) and should include conditions requiring the foreign national to comply with any applicable Quarantine Act measures under the new regulatory power R43(1)(e) and direct that they return to complete examination once any period of self-isolation or treatment is complete. Once the foreign national becomes asymptomatic or no longer requires immediate medical care, the examination can resume and the office will determine admissibility based on existing processes.

A foreign national who does not require immediate medical attention is prohibited from entering Canada from the U.S. if they have COVID-19 or have signs and symptoms of COVID-19, including:

a) a fever and cough; or
b) a fever and breathing difficulties.

Foreign nationals who have a combination of either a fever and cough; or a fever and breathing difficulties will be advised that they are subject to the prohibition on entry in accordance with OIC-11. These foreign nationals will be directed back to the U.S.

For more information please consult OBO-2020-021, Regulatory Amendments to Implement Travel Prohibitions in Response to the COVID-19 Pandemic.

Public Conveyance (all purposes of travel)

A foreign national who does not require immediate medical attention but responds "YES" to the enhanced screening question, is to be processed in accordance with existing enhanced screening measure procedures as per the shift briefing bulletin 2020-HQ-AC-03-25-B (COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)).

The BSO is to issue a PHAC mask kit to the traveller, direct the traveller to wear the surgical mask contained in the kit, and make a mandatory referral for the traveller to report to a quarantine officer (QO) for further questioning. BSOs will follow standard procedures for contacting a PHAC QO through the PHAC Central Notification Service if no QO is on site. BSOs are to follow the directions of the PHAC QO once the QO completes a health assessment.

PHAC QO Orders Symptomatic Traveller to Isolate

If the QO orders the foreign national to isolate, the BSO will defer the examination in accordance with section 23 of IRPA for the duration of the isolation period and until such time as the person is cleared by the PHAC QO. A23 will include mandatory conditions (R43) and should include





conditions requiring the FN to comply with any applicable Quarantine Act measures under the new regulatory power R43(1)(e) and direct that they return to complete examination once any period of self-isolation or treatment is complete. Once the FN becomes asymptomatic, the examination can resume and the office will determine admissibility based on existing processes. Admissibility concerns are paused during this period in order to prioritize public health considerations. Once a traveller who is prohibited to enter is asymptomatic, they are to be advised that they cannot enter Canada due to the prohibition order and will be allowed to withdraw their application to enter Canada in accordance with section 42 of IRPR.

For more information please consult OBO-2020-021, Regulatory Amendments to Implement Travel Prohibitions in Response to the COVID-19 Pandemic.

PHAC QO Determines Traveller is not a Case of Concern During Processing at POE

If the PHAC QO clears the traveller at the POE and indicates they are not a case of concern, and allows them to be released, the BSO will observe the following:

- Foreign nationals whose entry is not prohibited under the Quarantine Act emergency order can be allowed to enter Canada, absent other admissibility concerns. BSOs are to follow the process outlined in the shift briefing bulletin 2020-HQ-AC-03-25-B (COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes) and follow the direction of the PHAC quarantine officer.
- Foreign nationals whose entry is prohibited under OIC 11 will be subject to a Direct Back to the U.S.

PHAC will provide support and guidance where required. BSOs will seek guidance from their superintendent as needed.

Claims for Refugee Protection

- Claim for refugee protection at airports, marine ports and between ports of entry: Consult operational bulletin - COVID-19 Response - Foreign Nationals arriving from the United States who make a claim for refugee protection at airports, marine ports and between ports of entry.
- Claim for refugee protection at land ports of entry: Consult operational bulletin - COVID-19 Response - Processing claims for refugee protection at a designated land or rail port of entry.

Actions required by BSOs working at the Telephone Reporting Center (TRC):

General Aviation

BSOs working at the TRC will advise the aircraft operator during the first call to the TRC (48-2 hour advance notification) that foreign nationals arriving in Canada from the U.S. who are symptomatic for COVID-19; or who are travelling for optional or discretionary purposes; and who, based on their purpose of travel and intended length of stay, are unable to comply with the 14 day mandatory quarantine period, will not be allowed to seek entry into Canada.

The BSO will continue to process the travellers in accordance with existing enhanced screening measures as outlined in the shift briefing bulletin 2020-HQ-AC-03-25-B (COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)) .

Pleasure craft, snowmobiles and vehicles



In the case of NEXUS and CANPASS Private Boat members, BSOs working at the TRC will advise the pleasure craft operator during the first call to the TRC (4 hour - 30 min advance notification) that foreign nationals arriving in Canada from the U.S. are subject to travel prohibitions. In the case of non-member pleasure craft, snowmobiles and vehicles, this information will be provided to the caller when they call the TRC to report their arrival in Canada.

The TRC officer will question travellers in accordance with the enhanced screening measures about their purpose for entering Canada and advise the conveyance operator that travellers who are symptomatic, who are travelling for non-essential purposes, or who, based on their purpose of travel and intended length of stay, are unable to comply with the 14 day mandatory quarantine period will not be allowed to seek entry into Canada in accordance with OIC 11.

Secondary referrals

The TRC officer will make a mandatory secondary referral in the TRC System for quarantine screening on **all** conveyances reporting through the TRC (100% referrals).

The TRC officer will notify the superintendent at the responding verification office of the referral and advise them of the following if any travellers:

- on board an inbound or arriving conveyance have COVID-19 or are displaying signs or symptoms associated with the coronavirus, which are a fever and cough or a fever and breathing difficulties; and/or
- the travellers are coming to Canada for optional or discretionary reasons; and/or
- who, based on their purpose of travel and intended length of stay, are unable to comply with the 14 day mandatory quarantine period

The TRC will provide all conveyance and passenger details related to the passage to the superintendent.

Note: If the traveller is prohibited to enter in accordance with OIC 11 and the verification office is unable to attend to meet the conveyance, the TRC BSO will instruct the operator/travellers that they are not permitted to enter Canada and will direct them back to the U.S. as per R41(d) of the IRPR. The TRC BSO will **not** provide the report number to the conveyance operator and will instruct them to turn back and leave the Canadian aerodrome, waters or soil (snowmobiles or vehicles) immediately. The TRC BSO will make pertinent notes in the TRC System regarding the circumstances of the passage, document that the travellers were instructed to leave Canada (directed back), notify the CBSA Marine Security Operations Centre (MSOC) intelligence officer as per instructions below, and complete the entry and make the necessary notes in the Global Case Management System (GCMS) to document the direction given to the travellers.

Notification to the CBSA MSOC intelligence officers:

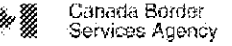
Further to issuing a direct back to the vessel operator, the BSO will advise the respective CBSA MSOC embed by emailing one of the following CBSA intelligence officers (depending on the geographic location of the vessel's arrival):

- MSOC West: Robin.Whitney@cbsa-asfc.gc.ca
- Great Lakes MSOC: Leticia.Hoffer-Chapman@cbsa-asfc.gc.ca
- MSOC East and Arctic: Lisa.DelVillano@cbsa-asfc.gc.ca

Actions required by BSOs and superintendents working at verification offices:

Verification BSOs will make every effort to attend all TRC referrals for travel prohibitions and enhanced border measures. The superintendent will discuss the situation with verification BSOs







responding to the TRC referrals for the arriving conveyances and ensure that the BSOs have the appropriate personal protective equipment for their use.

Travellers who have been deemed to be symptomatic, travelling for non-essential reasons, or are unable to meet the quarantine requirement are to be advised that they are subject to the prohibition on entry and not allowed into Canada in accordance with the Quarantine Act Section 58 Emergency Order. The BSO is to follow the process for non-essential travel outlined above and direct the travellers back to the U.S. as per R41(d) of the IRPR, and complete the necessary action/notes in the TRCS and the GCMS.

If a direct back is issued, the verification BSO will notify the CBSA MSOC embed as per the instructions above.

Actions required by superintendents:

Superintendents must ensure that front line officers follow the above outlined procedures and continue to follow all previous procedures put in place.

Superintendents are to ensure the appropriate data is entered into the Operational Reporting Application under the appropriate headings. The data must be entered into ORA by the ports of entry for the entire preceding 24 hours period (0000-2359 hours) no later than 06:00 EDT. Consult Shift Briefing Bulletin: 2020-HQ-AC-02-08-B Reporting – COVID-19 for reporting instructions and more information.

Inquiries:

Officers may direct any questions through the regional Corporate and Program Services Divisions, which (if required) will then send an email to the Novel Coronavirus Task Force generic inbox: CBSA.Corona_Virus_TF-GT_virus_Corona.ASFC@cbsa-asfc.gc.ca.

References:

COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)
2020-HQ-AC-03-25-B, Annex A: PHAC Contact Information Collection (Compliance and Monitoring)
2020-HQ-AC-03-26: Prohibiting Certain Foreign Nationals From Entering Canada from any Country other than the United States
2020-HQ-AC-03-26-B: Restricting the non-essential travel to Canada of U.S citizens and other foreign nationals arriving from the United States (all modes)
Annex A: Entry Restrictions and Exemptions - Essential / Non-Discretionary Travel and Non-Essential / Discretionary Travel
Annex B: Determining whether entry will be for a discretionary/optional purpose and whether an individual is exempt from mandatory self-isolation
Quarantine Standard Operating Procedures
2019-HQ-AC-05-15: Changes to the Public Health Agency of Canada (PHAC)'s Quarantine Services: New PHAC Notification Procedures
Job aid: Role of the BSO (screening officer)
2020-HQ-AC-01-26: Occupational Health Advisory: Novel Coronavirus
2020-HQ-AC-02-08-B: Reporting – Novel Coronavirus (2019-nCoV)
Operational Bulletin - Regulatory Amendments to Implement Travel Prohibitions in Response to the COVID-19 Pandemic

Issued by: Novel Coronavirus Task Force



Bitsene, Jonathan

From: Cardin, Katerine
Sent: Wednesday, April 22, 2020 12:29 PM
To: Williamson, Mia
Subject: FW: Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the U.S.) / Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance des É.U.)
Attachments: OB Direct Backs Refugee Claimant EN -Air Marine and BTP April 21.pdf; BO Direct Backs Refugee Claimant -Air Marine and BTP April 21.pdf; OB - STCA Assessment for Land Border Refugee Claimants (April 21).pdf; BO - STCA Assessment for Land Border Refugee Claimants (April 21).pdf; Asylum handout COVID19_BIL_English first.pdf; Feuillet Demandes asile COVID19_BIL_Francais premier.pdf; v2 (Apr 21).Mar 26-BIQT-Restriction de l'entrée au Canada de citoyens américains et d'autres ressortissants étrangers en provenance des États-Unis (tous les modes)-FINAL.pdf; v2 (Apr 21).Mar 26-SBB-Restricting entry of U.S citizens and other foreign nationals into Canada from the United States (all modes) FINAL.pdf

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

From: Muka, Marsel <Marsel.Muka@cbsa-asfc.gc.ca>
Sent: April 22, 2020 11:55 AM
To: Eyeson, Annick <Annick.Eyeson@cbsa-asfc.gc.ca>
Subject: FW: Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the U.S.) / Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance des É.U.)
Importance: High

This was sent last night after the union briefing.

From: Corona Virus Task Force / Groupe de travail du virus Corona (CBSA/ASFC) <CBSA.Corona_Virus_TF-GT_virus_Corona.ASFC@cbsa-asfc.gc.ca>
Sent: April 21, 2020 10:11 PM
To: McKinnon, Chastity <Chastity.McKinnon@cbsa-asfc.gc.ca>; Correia, Sylvie <Sylvie.Correia@cbsa-asfc.gc.ca>; Letellier, Marie-Ève <Marie-Eve.Letellier@cbsa-asfc.gc.ca>; Stewart, Shannon <Shannon.Stewart@cbsa-asfc.gc.ca>; Martin, Denis <Denis.Martin@cbsa-asfc.gc.ca>; Baxter, Shawna <Shawna.Baxter@cbsa-asfc.gc.ca>; Grewal, Jyoti <Jyoti.Grewal@cbsa-asfc.gc.ca>; Cuvalo, Marija <Marija.Cuvalo@cbsa-asfc.gc.ca>; Belaire, David <David.Belaire@cbsa-asfc.gc.ca>; Naqvi, Nadia <Nadia.Naqvi@cbsa-asfc.gc.ca>; Bertosa, Diana <Diana.Bertosa@cbsa-asfc.gc.ca>; Jeffers, Joycelyn <Joycelyn.Jeffers@cbsa-asfc.gc.ca>; Woods, Dorothy <Dorothy.Woods@cbsa-asfc.gc.ca>; White, Lisa <Lisa.White@cbsa-asfc.gc.ca>; PRA_CBSA-ASFC_Region, Programs <Programs.PRA_CBSA-ASFC_Region@cbsa-

asfc.gc.ca>; Jarvin, Carl <Carl.Jarvin@cbsa-asfc.gc.ca>; Bettencourt, Lucia <Lucia.Bettencourt@cbsa-asfc.gc.ca>; Desjarlais, Chuck <Chuck.Desjarlais@cbsa-asfc.gc.ca>; Stone, Christopher <Christopher.Stone@cbsa-asfc.gc.ca>; McManners, William <William.McManners@cbsa-asfc.gc.ca>; Linde, John <John.Linde@cbsa-asfc.gc.ca>; Wakita, Masao <Masao.Wakita@cbsa-asfc.gc.ca>; Redmond, Linell <Linell.Redmond@cbsa-asfc.gc.ca>; Lamons, Shantel <Shantel.Lamons@cbsa-asfc.gc.ca>; Goodman, Nicole <Nicole.Goodman@cbsa-asfc.gc.ca>; Roy, Lise-Sylvie <Lise-Sylvie.Roy@cbsa-asfc.gc.ca>; CBSA.O Programs Management / Programmes Management O.ASFC <CBSA.OProgramsManagement/ProgrammesManagementO.ASFC@cbsa-asfc.gc.ca>; Holtan, Deborah <Deborah.Holtan@cbsa-asfc.gc.ca>; Charlton, Kevin <Kevin.Charlton@cbsa-asfc.gc.ca>; Pac-Van-Programs, TF PAC PROGRAMMES TF <PACIFICPROGRAMSTF@cbsa-asfc.gc.ca>; Cliffe, Megan <Megan.Cliffe@cbsa-asfc.gc.ca>; Adams, Meaghan <Meaghan.Adams@cbsa-asfc.gc.ca>; MacLennan, Isabelle <Isabelle.MacLennan@cbsa-asfc.gc.ca>; Schuler, Tuula <Tuula.Schuler@cbsa-asfc.gc.ca>; Doxey, Laurelle <Laurelle.Doxey@cbsa-asfc.gc.ca>; Peters, Jeryn <Jeryn.Peters@cbsa-asfc.gc.ca>; Lebrun, Yvette <Yvette.Lebrun@cbsa-asfc.gc.ca>; Mahmood, Nausherwan <Nausherwan.Mahmood@cbsa-asfc.gc.ca>; Goddard, Jeffrey <Jeffrey.Goddard@cbsa-asfc.gc.ca>; CBSA-ASFC_SOR-RSO_COVID19 <CBSA-ASFC_SOR-RSO_COVID19@cbsa-asfc.gc.ca>; Taylor, Carrie <Carrie.Taylor@cbsa-asfc.gc.ca>; Newby, Joshua <Joshua.Newby@cbsa-asfc.gc.ca>; Prosia, Michael <Michael.Prosia@cbsa-asfc.gc.ca>; Jaeger, Anneliese <Anneliese.Jaeger@cbsa-asfc.gc.ca>; Resmini, Mary <Mary.Resmini@cbsa-asfc.gc.ca>; Boismier, Tamira <Tamira.Boismier@cbsa-asfc.gc.ca>; Short, Victoria <Victoria.Short@cbsa-asfc.gc.ca>; Bortolotto, Jennifer <Jennifer.Bortolotto@cbsa-asfc.gc.ca>; NOR_COVID-19 / RNO_COVID-19 (CBSA/ASFC) <CBSA-ASFC_NOR-RNO_COVID19@cbsa-asfc.gc.ca>; ROC-COR Atlantic, Regional Operations Centre - Centre d'operations regionales <EmergOps.ATL-CBSA@cbsa-asfc.gc.ca>; ROC-COR Quebec Regional Operations Centre d'opérations régionales <Regional_Operations_Centre_d'operations_regionales.ROC-COR_Quebec@cbsa-asfc.gc.ca>; Lee, Chantal <Chantal.Lee@cbsa-asfc.gc.ca>; GTAR_Region_Tasking / RGT_Région_Tasking (CBSA/ASFC) <CBSA.GTARRegionTasking-RGTRegionTasking.ASFC@cbsa-asfc.gc.ca>; Charest, Johanne <Johanne.Charest@cbsa-asfc.gc.ca>; Beauséjour, Annie <Annie.Beausejour@cbsa-asfc.gc.ca>; Hoag, Shawn <Shawn.Hoag@cbsa-asfc.gc.ca>; Janes, Lisa CBSA-ASFC <Lisa.Janes@cbsa-asfc.gc.ca>; Durocher, Christine <Christine.Durocher@cbsa-asfc.gc.ca>; Wozny, Brad <Brad.Wozny@cbsa-asfc.gc.ca>; Patel, Nina <Nina.Patel@cbsa-asfc.gc.ca>; Zelenika, Mark <Mark.Zelenika@cbsa-asfc.gc.ca>
Cc: D'Asti, UrszulaX <Urszula.D'Asti@cbsa-asfc.gc.ca>; Martel, Alexandre <Alexandre.Martel@cbsa-asfc.gc.ca>; Harvie, Tammie <Tammie.Harvie@cbsa-asfc.gc.ca>; Jolicoeur, Catherine <Catherine.Jolicoeur@cbsa-asfc.gc.ca>; Dakalbab, Talal <Talal.Dakalbab@cbsa-asfc.gc.ca>; Border Operations Centre / Centre des Operations Frontalières (CBSA/ASFC) <BOC-COF@cbsa-asfc.gc.ca>; Sousae, Annie <Annie.Sousae@cbsa-asfc.gc.ca>; Christiansen, Calvin <Calvin.Christiansen@cbsa-asfc.gc.ca>; Lamarche, Lynne <Lynne.Lamarche@cbsa-asfc.gc.ca>; Ommanney, John <John.Ommanney@cbsa-asfc.gc.ca>; Badour, Dan <Dan.Badour@cbsa-asfc.gc.ca>; Easton, Erika-Kirsten <ERIKA-KIRSTEN.EASTON@cbsa-asfc.gc.ca>; Murray, Don <Don.Murray@cbsa-asfc.gc.ca>; CBSA-ASFC_OPS_TRAVELLERS-VOYAGEURS

<OPS_TRAVELLERS-VOYAGEURS@cbsa-asfc.gc.ca>; Pyke, Simon <Simon.Pyke@cbsa-asfc.gc.ca>; Dutta, Tina <Tina.Dutta@cbsa-asfc.gc.ca>; Muka, Marsel <Marsel.Muka@cbsa-asfc.gc.ca>; Prémont, Jean-Christian <Jean-Christian.Premont@cbsa-asfc.gc.ca>; Crowe, Kelly <Kelly.Crowe@cbsa-asfc.gc.ca>; Vinette, Denis R. <Denis.Vinette@cbsa-asfc.gc.ca>; Blanchard, NathalieX <NathalieX.Blanchard@cbsa-asfc.gc.ca>; Lorenz, Christian <Christian.Lorenz@cbsa-asfc.gc.ca>; Spicer, Sharon <Sharon.Spicer@cbsa-asfc.gc.ca>; Daigle, Jason <Jason.Daigle@cbsa-asfc.gc.ca>; Carey, Brandon <Brandon.Carey@cbsa-asfc.gc.ca>; O'Neill, Erin <Erin.O'Neill@cbsa-asfc.gc.ca>; Corona Virus Task Force / Groupe de travail du virus Corona (CBSA/ASFC) <CBSA.Corona_Virus_TF-GT_virus_Corona.ASFC@cbsa-asfc.gc.ca>; Robertson, Jayden <Jayden.Robertson@cbsa-asfc.gc.ca>; Modler, Greg <Greg.Modler@cbsa-asfc.gc.ca>
Subject: Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the U.S.) / Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance des É.U.)
Importance: High

For your information and dissemination / Pour votre information et distribution

Please cascade to border services officers (BSO) / Veuillez transmettre aux agents des services frontaliers (ASF)

Thank you / Merci

For Implementation on Wednesday, 22 April 2020 at 12:01 AM ET// Pour mise en œuvre le mercredi 22 avril 2020 à 00 h 01 HE

Please find attached the following documents:

- Operational Bulletin – COVID-19 Response - Processing claims for refugee protection at a designated land or rail port of entry;
- Operational Bulletin – COVID-19 Response - Foreign Nationals arriving from the United States who make a claim for refugee protection at airports, marine ports and between ports of entry;
- Asylum handout COVID-19; and
- Shift Briefing Bulletin – Restricting entry of U.S citizens and other foreign nationals into Canada from the United States (all modes).

A new order will come into effect at midnight + 1 minute on Wednesday, 22 April 2020, and ends on Thursday, 21 May, 2020. This new order is OIC 11. OIC 11 extends the restriction on all optional or discretionary (non-essential) travel across the Canada-U.S. border.

Within OIC 11, foreign nationals are prohibited from entering Canada from the United States, if:

- they have COVID-19 or have signs and symptoms of COVID-19 or have reasonable grounds to suspect they have such signs and symptoms, including: (a) a fever and cough; or (b) a fever and breathing difficulties; or
- they seek to enter for an optional or discretionary purpose, such as tourism, recreation or entertainment; or
- based on the purpose of entry and the length of their stay, the requirement to quarantine under the Minimizing the Risk of Exposure to COVID-19 in Canada Order (Mandatory Isolation), No. 2 cannot be complied with.

The new order affects the processing of asylum claims at land border POEs. In general, temporary direct backs can continue in air and marine mode, as well as between the ports, and the Safe Third Country Agreement will be applied at land POEs. The new exceptions are articulated in the SB/OBs, and support will be available if there are questions. IRCC and/or PHAC will be accountable for transporting and housing of asylum seekers post-processing. POEs will complete processing once AS have completed 14-day self-

isolation or quarantine periods. If the AS was symptomatic, they will not be released from self-isolation until verified by a PHAC QO as safe to release.

Canada and the U.S. recognize the critical necessity to preserve supply chains between both countries. These supply chains ensure that food, fuel, and life-saving medicines reach people on both sides of the border. Supply chains will continue to not be impacted by these measures.

*****

Veuillez trouver ci-joint les documents suivants:

- Bulletin Opérationnel – Intervention en lien avec la COVID-19 : Traitement des demandes d'asile à un point d'entrée terrestre ou ferroviaire désigné;
- Operational Bulletin – Intervention en lien avec la COVID-19 – Ressortissants étrangers en provenance des États-Unis qui présentent une demande d'asile aux aéroports, aux ports maritimes et entre les points d'entrée;
- Feuillet Demandes asile COVID19; et
- Bulletin d'information sur les quarts de travail – Restriction de l'entrée au Canada de citoyens américains et d'autres ressortissants étrangers en provenance des États-Unis (tous les modes).

Un nouveau décret entrera en vigueur ce soir à minuit + 1 minute le mercredi 22 avril 2020, et sera levé le jeudi 21 mai 2020. Il s'agit du décret en conseil 11. Le décret en conseil 11 prolonge la restriction à l'égard de tous les déplacements facultatifs ou discrétionnaires (non essentiels) à la frontière canado-américaine.

Dans le cadre du décret en conseil 11, il est interdit aux ressortissants étrangers d'entrer au Canada en provenance des États-Unis, si :

- ils sont atteints de la COVID-19 ou s'ils présentent des signes et des symptômes de la COVID-19 ou s'ils ont des motifs raisonnables de soupçonner qu'ils ont de tels signes et symptômes, notamment : a) de la fièvre et de la toux; ou b) de la fièvre et des difficultés respiratoires; ou
- ils cherchent à entrer à des fins facultatives ou discrétionnaires, comme le tourisme, les loisirs ou le divertissement; ou
- selon les raisons motivant l'entrée et de la durée du séjour, l'obligation de la mise en quarantaine en vertu du décret no 2 visant la réduction du risque d'exposition à la COVID-19 au Canada (isolement obligatoire) ne peut être respectée.

Le nouveau décret a une incidence sur le traitement des demandes d'asile aux points d'entrée des frontières terrestres. En général, les renvois temporaires peuvent se poursuivre pour les modes aérien et maritime, ainsi qu'entre les ports, et l'Entente sur les tiers pays sûrs sera appliquée aux points d'entrée terrestres. Les nouvelles exceptions sont énoncées dans les deux bulletins et de l'aide sera disponible si des questions sont émises. IRCC et/ou l'ASPC seront responsables du transport et du logement des demandeurs d'asile après leur traitement. Les points d'entrée termineront le traitement une fois que les demandeurs d'asile auront terminé une période d'auto-isolement ou de quarantaine de 14 jours. Si un demandeur d'asile était symptomatique, il ne serait pas libéré de l'auto-isolement avant d'avoir été examiné par un agent de quarantaine de l'ASPC, qui devra déclarer qu'il ne présente pas de risque en vue de sa libération.

Le Canada et les É.-U. reconnaissent la nécessité essentielle de préserver les chaînes d'approvisionnement entre les deux pays. Ces chaînes d'approvisionnement assurent aux citoyens des deux pays un accès à la nourriture, au carburant et aux médicaments dont ils ont besoin. Les chaînes d'approvisionnement ne seront toujours pas touchées par ces mesures.

Bitsene, Jonathan

From: Barlow, Adrienne
Sent: Tuesday, April 21, 2020 1:51 PM
To: Williamson, Mia; Cardin, Katerine
Subject: FW: OICs Approved Today
Attachments: (EN) OB Direct Backs Refugee Claimant EN -Air Marine and BTP April 20.doc; (EN) DRAFT OB - STCA Assessment for Land Border Refugee Claimants (April 20).doc; v2 (Apr 21).Mar 26-SBB-Restricting entry of U.S citizens and other foreign nationals into Canada from the United States (all modes) (002).docx

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Mia,

[Attached] are for our use only, to ensure accurate and consistent references in our guidance materials, i.e., not for onward distribution. And – as noted – they still could change (likely, I would think) before publication.

Hope this info assists in updating the Dashboard for the US ... I will review them now as well.

Thx, adrienne

From: Robertson, Jayden <Jayden.Robertson@cbsa-asfc.gc.ca>
Sent: April 21, 2020 1:46 PM
To: Barlow, Adrienne <Adrienne.Barlow@cbsa-asfc.gc.ca>; Sousae, Annie <Annie.Sousae@cbsa-asfc.gc.ca>
Cc: Cardin, Katerine <Katerine.Cardin@cbsa-asfc.gc.ca>
Subject: RE: OICs Approved Today

Here you go.

Subject to change.

From: Barlow, Adrienne <Adrienne.Barlow@cbsa-asfc.gc.ca>
Sent: April 21, 2020 12:06 PM
To: Robertson, Jayden <Jayden.Robertson@cbsa-asfc.gc.ca>; Sousae, Annie <Annie.Sousae@cbsa-asfc.gc.ca>
Cc: Cardin, Katerine <Katerine.Cardin@cbsa-asfc.gc.ca>
Subject: RE: OICs Approved Today

Hi Jayden,

Would it be possible to share with us the [final English drafts]?

Rest assured - we will not distribute, but will utilize them in the revision of our guidance to the International Network, to ensure consistency.

Thx, adrienne

Adrienne Barlow
Senior Program Advisor / Conseillère principale de programme
International Operations Division / Division des opérations internationales
International Policy and Partnerships / Politiques internationales et partenariats
Strategic Policy Branch / Direction générale de la politique stratégique
Canada Border Services Agency / Agence des services frontaliers du Canada
Government of Canada / Gouvernement du Canada
adrienne.barlow@cbsa-asfc.gc.ca / 613-948-0594

From: Robertson, Jayden <Jayden.Robertson@cbsa-asfc.gc.ca>
Sent: April 21, 2020 12:00 PM
To: Sousae, Annie <Annie.Sousae@cbsa-asfc.gc.ca>
Cc: Barlow, Adrienne <Adrienne.Barlow@cbsa-asfc.gc.ca>; Cardin, Katerine <Katerine.Cardin@cbsa-asfc.gc.ca>
Subject: RE: OICs Approved Today

Hi,

The OBs and SBBs have been finalized.

They are currently in translation and should be finalized shortly.

Jayden

From: Sousae, Annie <Annie.Sousae@cbsa-asfc.gc.ca>
Sent: April 21, 2020 11:59 AM
To: Robertson, Jayden <Jayden.Robertson@cbsa-asfc.gc.ca>
Cc: Barlow, Adrienne <Adrienne.Barlow@cbsa-asfc.gc.ca>; Cardin, Katerine <Katerine.Cardin@cbsa-asfc.gc.ca>
Subject: FW: OICs Approved Today
Importance: High

Jayden, can you please loop in Adrienne and Katerine from International, on the lead for OIC 11 instructions to the field.

I believe the lead is I&E, but I'm not sure where they are in the process.

Thanks,

Annie Sousae
Manager / Travellers Branch
Gestionnaire / Direction générale des voyageurs
Tél: / Cell: 613-894-6927

From: Barlow, Adrienne <Adrienne.Barlow@cbsa-asfc.gc.ca>
Sent: April 21, 2020 11:36 AM
To: Sousae, Annie <Annie.Sousae@cbsa-asfc.gc.ca>
Cc: Cardin, Katerine <Katerine.Cardin@cbsa-asfc.gc.ca>
Subject: FW: OICs Approved Today
Importance: High

Hi Annie,

I am reaching out to find out if your area or somewhere else in Travellers is working on guidance for BSOs re: the new OICs and IRPR regulations.

Specifically we/IOD are looking to ensure our guidance to the International Network reflects a consistent interpretation and application of the Order 11, and - as much as it applies in the overseas/International context - of the Reg changes (likely more of an awareness exercise, with respect to the latter).

If you could point us in the right direction or loop us in, it would be greatly appreciated.

I can give you a call if you prefer.

Thx, adrienne

Adrienne Barlow
Senior Program Advisor / Conseillère principale de programme
International Operations Division / Division des opérations internationales
International Policy and Partnerships / Politiques internationales et partenariats
Strategic Policy Branch / Direction générale de la politique stratégique
Canada Border Services Agency / Agence des services frontaliers du Canada
Government of Canada / Gouvernement du Canada
adrienne.barlow@cbsa-asfc.gc.ca / 613-948-0594

De : Lutfallah, Jennifer <Jennifer.Lutfallah@cbsa-asfc.gc.ca>
Envoyé : 20 avril 2020 15:51
À : Thompson, Kathy <Kathy.Thompson@cbsa-asfc.gc.ca>; Pitfield, Caroline <Caroline.Pitfield@cbsa-asfc.gc.ca>; Ommanney, John <John.Ommanney@cbsa-asfc.gc.ca>; Lorenz, Christian <Christian.Lorenz@cbsa-asfc.gc.ca>; Spicer, Sharon <Sharon.Spicer@cbsa-asfc.gc.ca>; StMarseille, Richard <Richard.StMarseille@cbsa-asfc.gc.ca>; Kyriakatos, Sandy <Sandy.Kyriakatos@cbsa-asfc.gc.ca>; Vinette, Denis R. <Denis.Vinette@cbsa-asfc.gc.ca>; Cloutier, Jacques <Jacques.Cloutier@cbsa-asfc.gc.ca>; Easton, Erika-Kirsten <ERIKA-KIRSTEN.EASTON@cbsa-asfc.gc.ca>; Dakalbab, Talal <Talal.Dakalbab@cbsa-asfc.gc.ca>; Laflamme, Edith <Edith.Laflamme@cbsa-asfc.gc.ca>
Objet : FW: OICs Approved Today
Importance : Haute

Attached is the approved OIC11 and IPRR regulations.

Thanks,
Jennifer Lutfallah
Director General | Directrice-générale
Canada Border Services Agency | Agence des services frontaliers du Canada
10028 - 100 Metcalfe
Ottawa Ontario
jennifer.lutfallah@cbsa-asfc.gc.ca
Telephone | Téléphone 613-948-9041
Cell| 613-854-9111
Government of Canada | Gouvernement du Canada

From: Adair, Julie <Julie.Adair@pco-bcp.gc.ca>
Sent: April 20, 2020 3:47 PM
To: Erin O'Gorman <Erin.OGorman@tbs-sct.gc.ca>; Tina Green <Tina.Green@tbs-sct.gc.ca>; Nicholas Winfield <Nicholas.Winfield@tbs-sct.gc.ca>; Kimberly Jansz <Kimberly.Jansz@tbs-sct.gc.ca>; Chris Adams <Chris.Adams@tbs-sct.gc.ca>; donna.st-jean@tbs-sct.gc.ca; Pham, Thao <Thao.Pham@pco-bcp.gc.ca>; marylouise.graham@canada.ca; Rob Ward <rob.ward@canada.ca>; Natasha Kuran <natasha.kuran@canada.ca>; Setlakwe, Lisa <Lisa.Setlakwe@pco-

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Subject: OICs Approved Today
Importance: High

Good afternoon,

This is to confirm that the following OICs were approved by the GIC today:

1. Proposed Regulations Amending the Immigration and Refugee Protection Regulations (Emergencies Act and Quarantine Act). These amendments were also registered.
2. Proposed Regulations Amending the Immigration and Refugee Protection Regulations (Deposits and Guarantees).
3. Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the United States).

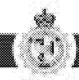
Certified copies of the OICs are attached for ease of reference.

Regards,

Julie

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OPERATIONAL BULLETIN:

TITLE: COVID-19 Response - Foreign Nationals arriving from the United States who make a claim for refugee protection at airports, marine ports and between ports of entry.

Date of Issue:	Mode(s):	Target Audience:	Area of Interest:
2020-04-21	All	All officers administering and enforcing IRPA	National

Details:

These instructions are specific to direct back authorities for foreign nationals arriving from the United States who make a claim for refugee protection at designated air and marine ports of entry and for those who enter Canada between ports of entry.

This Order in Council (colloquially referred to as OIC-11), entitled Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the United States), No.3, is made pursuant to section 58 of the Quarantine Act.

This Order in Council has effect for the period beginning on April 22, 2020 (00:01) and ending on May 21, 2020.

The Order repeals and replaces the Order in Council P.C. 2020-0185 entitled Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the United States) (referred to as OIC-9), which came into force on March 26, 2020.

Background

In order to enhance the authority of the Minister of Public Safety and Emergency Preparedness to respond to emergency situations that temporarily impact the border, a new provision for direct back under paragraph 41(d) of the IRPR has been enacted. This amendment enables an officer to direct back a foreign national prohibited pursuant to an emergency order or regulation made under the *Quarantine Act* or the *Emergencies Act*.

OIC 11 creates exceptions to the general prohibition on entering Canada for the purpose of making a claim for refugee protection. More specifically, the new OIC provides that a foreign national is prohibited from entering Canada for the purpose of making a claim for refugee protection unless the foreign national:



- seeks to enter Canada at a land and rail port of entry designated by the Minister of Public Safety and Emergency Preparedness under section 26 of the Immigration and Refugee Protection Regulations; and
  - is a person referred to in section 159.2, 159.5 or 159.6 of the Immigration and Refugee Protection Regulations; or
  - is a citizen of the United States;
- seeks to enter Canada other than at a land or rail port of entry and is a person who is a citizen of the United States, a stateless habitual resident of the United States or an unaccompanied, unmarried minor without a parent or legal guardian in the US; or
- is a person whose presence in Canada is determined by the Minister of Public Safety and Emergency Preparedness or the Minister of Citizenship and Immigration to be in the national or public interest, while recognizing the paramount public health interests of Canada and Canadians.
  - More specifically, the Ministers exempt the following persons from the application of the OIC:
  - Foreign Nationals who make a claim for refugee protection at an air or marine port of entry and cannot be immediately directed back to the U.S..
  - Foreign Nationals who may be subject to the death penalty in any country.
    Please refer to the notification process below for further case processing instructions.

Actions required by officers and Minister's Delegates (MDs) administering and enforcing the IRPA:

For all direct backs of foreign nationals making a claim for refugee protection at a designated POE (air or marine mode) or in-between the POEs, officers will be responsible to initiate and complete the following:

- Conduct queries in all applicable systems per existing procedures;
- Exam and Ref-Clm creation for quick intake in the Global Case Management System (GCMS);
- Collection of biometrics;
- BSF 505 – Direction to Return to USA and the officer will select "no officer is able to complete the examination" on the form.
- Update the direct back screen in GCMS selecting the option "R41(d) – Emerg/Quarant Act" ;
- Notice to Transporter (BSF 502), as applicable;



- Notification of the direct-back to the USCBP using established local procedures;
- Detailed notes in the examination tab of GCMS; notes must indicate the POE or irregular crossing of arrival. This will allow the officers responsible for the resumption of processing to understand what method of processing applies. Ports of Entry must maintain a list of all direct backs; the list should reflect the information in the Direct Back screen in GCMS and include the UCI, client's status in the U.S., name(s) and current contact information (telephone number and/or email address) for each claimant.

Exception: A direct back should not be issued to FNs who are symptomatic and who arrive from the U.S. via commercial or public conveyance (air or marine mode). Those individuals should be directed to isolate and/or referred to PHAC (depending on the severity of their symptoms and whether there are concerns about their ability to isolate themselves). This does not apply to FNs who arrive from the U.S. in a personal conveyance (i.e., would not pose a risk to other travellers) - they can be directed back to the U.S.

Foreign Nationals who are able to enter to make a refugee claim as per subsection 5(1) or 5(2) of the OIC, can enter even if they are symptomatic and will need to be referred to the PHAC Quarantine officers regardless of mode or location of entry.

Claims for refugee protection will be subject to the following intake process:

1. Determine if the foreign national is symptomatic or asymptomatic as per the following instructions:

    - COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)

2. Perform Secondary Examination

    - Determine if they meet an exemption to the OIC and are permitted to make a claim;
    - Conduct queries in all applicable systems per existing procedures;
    - Initiate Refugee Claim in GCMS;
    - Collect biometrics;
    - Conduct a Preliminary Risk Assessment in order to assess eligibility and once the eligibility assessment is made the following outcomes will occur:

Claim assessed - Low Risk Case:

i. The processing of FNs seeking entry from the U.S. who make a claim



for refugee protection and are assessed to be 'low risk' and appear to meet an exemption or exception to the STCA.

ii. Once the acknowledgement of claim process is completed, the claimant is permitted entry for further examination to complete the refugee intake processing (BSF536).

Claim assessed - High Risk/Complex Case:

i. Completion by CBSA at the POE or other CBSA location once the acknowledgement of claim process is completed in consideration of appropriate conditions to ensure compliance;
ii. Arrest and/or detention (A55) considerations are to be made using the Temporary Measures to Guide Decisions to Detain and Consideration of Alternatives to Detention.

Note: POE's are responsible for the resumption of claim processing as per regional procedures/processing models. Should a claimant request processing at another CBSA location, it is the responsibility of the initial POE to coordinate the resumption of processing with the claimants preferred processing location.

Should a POE decide to complete the refugee intake process at the time of arrival, all protocols to ensure the health and safety of officers and claimants must followed.

For claims assessed to be ineligible, removal orders will come into force as follows:

i. **101(1)(e) STCA:** immediately [U.S. Removal - Air Mode R159.4(2)];

ii. **Other grounds of ineligibility - non-STCA:** seven (7) days;

iii. **101(1)(c.1):** seven (7) days with an expedited PRRA within 30 days by IRCC;

iv. **101(1)(d):** seven (7) days with an expedited risk assessment for *non-refoulement* within 30 days; and

v. **101(1)(f) cases:** suspend eligibility before referral to Refugee Protection Division to wait the outcome of an admissibility hearing or criminal court proceeding in Canada.

Note: Foreign Nationals determined ineligible under the STCA shall be ordered removed and returned to the U.S. immediately as per ss.48(2) of *IRPA*.

Post Claim Processing Procedures

Foreign Nationals who are permitted to make a claim for refugee protection in Canada while the OIC is in effect are subject to the same requirements as all other travellers as described in OIC 10. Officers are required to follow the process as



described at the following link:

COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)

Transfer to Receiving Organizations

Upon completion of port of entry processing, should an individual require transportation and/or accommodations the following departments should be contacted based on whether the individual(s) are asymptomatic or symptomatic.

Asymptomatic Travellers - Immigration, Refugees and Citizenship Canada

TBD

Symptomatic Travellers - Public Health Agency of Canada

PHAC Central Notification System
1-833-615-2384
phac.cns-snc.aspc@canada.ca

Notification Process

POEs are to notify CBSA Case Management of all foreign nationals who have made a claim for refugee protection regardless of whether they are directed back to the U.S. or allowed into Canada as they meet an exception under the OIC. Case Management can be notified via email (Case-Management@cbsa-asfc.gc.ca) with the following subject line: "COVID-19 Response – asylum claimant UCI:11-XXXX-XXXX". The email should also indicate whether the claimants current contact information (telephone number, address and/or email address) is on file for each claimant.

The above is in addition to any established regional notification processes.

Person(s) charged or convicted of an offence that is punishable by the death penalty

POEs must notify the Border Operations Centre immediately and prior to any decision or action taken against a foreign national who is charged with or has been convicted of an offence that is punishable by the death penalty in any country.

Note: An officer needs to be satisfied that there is more than a mere possibility of the individual facing charges punishable by death in the US or another country.

A BSO may become aware of the information during their examination (spontaneous



admission, database checks) or from enforcement partners (USCBP, police of jurisdiction). Officers are not required to pose a unique line of questioning to this regard, the onus is on the asylum seeker to provide this information.

Return date for the direct back

Under general circumstances, direct backs normally include a specific date and time for the foreign national to return to the POE for further processing. For the duration of COVID-19 response, officers are required to provide the *Asylum handout COVID19* to all foreign nationals seeking refugee protection who are directed back. Officers will instruct all refugee claimants directed back to refer to the *CBSA website* for up to date information on when they should return to Canada. It is important that refugee claimants directed back are clearly counselled that this does not mean that their refugee claim will not be heard but rather that it is only delayed until such time as the OIC is lifted. Once the OIC has been lifted, arrangements will be made for the resumption of the refugee claim examination.

For greater clarity, these regulatory amendments do not impact any of the currently available recourse mechanisms with respect to immigration enforcement. They also do not impact individuals already granted protected person status under subsection 95(2) of the IRPA and seeking to re-enter Canada.

U.S. Interceptions and/or Returns to Canada

All persons seeking to make a claim for asylum in the U.S. and intercepted seeking entry at a place other than a POE, or entering at a U.S. POE, will be returned to the closest CBSA port office. The CBSA port of entry must accept the return of the foreign national; a case-by-case assessment by an officer should be completed and all available officer options can be considered when accepting the return of the person from U.S. authorities.

Once the border measures between Canada and the U.S. are lifted, the individual is to be contacted by U.S. authorities and advised to return to the U.S for further processing.

Additional Information:

- Arrest and/or detention (A55) considerations are to be made using the Temporary Measures to Guide Decisions to Detain and Consideration of Alternatives to Detention
- For further instructions on symptomatic or asymptomatic foreign nationals, please refer to the shift briefing Restricting the non-essential travel to Canada of U.S. citizens and other foreign nationals arriving from the United States by land, rail, ferry and maritime
- Contact information for Public Health Agency of Canada Quarantine Operations Centres can be found in Appendix B (Quarantine Operations Centres) of Enforcement Manual 4 (Port of Entry Examination).
- Additional guidance on liaising with the Public Health Agency of Canada is



found in the People Processing Manual, Part 8, Chapter 5.2
- Additional guidance on POE processing can be found in ENF4 manual
- Additional guidance on writing A44(1) reports and Minister's Delegate review under A44(2) can be found in ENF5 and ENF6 manual, respectively.
- Operational Bulletin: PRG-2015-34 - Transportation of Non-detained Persons in Agency Vehicles while Administering CBSA Program Legislation

Regional Management:

Regional supervisors and managers will ensure that the above instructions are implemented immediately, and will be responsible for regional best practices and for conducting quality assurance.

Contact Information:

Any questions regarding this bulletin should be directed to the following email address:

Border Services Officers: If you have any questions, please forward them through the regional Corporate and Program Services Divisions, which (if required) will then send an email to the Traveller Operations Division's generic inbox: CBSA-ASFC_Ops_Travellers-Voyageurs

Approved by:

John Ommanney, Director General
Travellers Branch

Christian Lorenz, Director General
Intelligence and Enforcement Branch

Effective Date:	**Updated:**

Additional bulletins:





Shift Briefing Bulletin

Subject:	**Restricting entry of U.S citizens and other foreign nationals into Canada from the United States (all modes)**
Date:	**March 26, 2020 (version 2: Updated April 21)**

This shift briefing bulletin **only** applies to foreign nationals (including United States [U.S.]citizens) and must be read in conjunction with operational bulletin OBO-2020-021, Regulatory Amendments to Implement Travel Prohibitions in Response to the COVID-19 Pandemic.

The prohibitions on entry do not apply to foreign nationals who are:

- protected persons within the meaning of s.95(2) of the Immigration and Refugee Protection Act (IRPA);
- registered as Indians under the Indian Act;
- individuals who have been exempt from the order by the Chief Public Health Officer because their presence in Canada would not pose a risk of significant harm to public health; or
- entering to make a refugee claim and will not be directed back under the operational bulletin COVID-19 Response - Direct Backs of Foreign Nationals who make a claim for refugee protection at airports, marine ports and between ports of entry or OBO-2020-xxx – *(insert name of OB re asylum claims at POEs – STCA).*

Order in Council (colloquially referred to as OIC-11), entitled Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the United States), No.3 has effect for the period beginning on April 22, 2020 (00:01) and ending on May 21, 2020.

Details:

As a result of the COVID-19 pandemic, Canada and the U.S. have restricted all optional or discretionary (non-essential) travel across the Canada-U.S. border. In both countries, individuals are required to exercise caution by avoiding unnecessary contact with others (physical distancing).

Canada and the U.S. recognize the critical necessity to preserve supply chains between both countries. These supply chains ensure that food, fuel, and life-saving medicines reach people on both sides of the border. Supply chains will not be impacted by this new measure.

Standard to be met for entry:

In order for a U.S citizen or other foreign national to enter Canada from the U.S:

- **they must be asymptomatic; and**
- **their entry must not be for a purpose that is optional or discretionary (non-essential); and**
- **they must be able to comply with the requirement to quarantine based on their purpose of travel and intended length of stay if required to do so.**

Application of Prohibition on Entry from the United States:

The border services officer (BSO) must first determine whether the traveller is displaying any COVID-19 symptoms. If no such symptoms are present, the BSO will ask the traveller the purpose





of their entry to Canada to determine if it is optional or discretionary in nature. The BSO should use additional discretionary questioning as required to help determine the purpose of the entry.

Symptomatic

A foreign national who does not require immediate medical attention is prohibited from entering Canada from the U.S. if they have COVID-19 or have signs and symptoms of COVID-19, including:

a) a fever and cough; or

b) a fever and breathing difficulties.

Optional or Discretionary Purpose of Travel

A foreign national is prohibited from entering Canada from the U.S. if the purpose of their trip is optional or discretionary, such as tourism, recreation or entertainment.

Consult Annex A to 2020-HQ-03-26 and 2020-HQ-AC-03-26-B (Entry Restrictions and Exemptions - Essential / Non-Discretionary Travel and Non-Essential / Discretionary Travel) for information related to determining if a travellers purpose of travel is non-discretionary (essential) or discretionary/ optional (non-essential).

Consult Annex B to 2020-HQ-03-26 and 2020-HQ-AC-03-26-B (Determining whether entry will be for a discretionary/optional purpose and whether an individual is exempt from mandatory quarantine) for scenarios that were developed to assist BSOs and liaison officers in determining whether entry is for a discretionary/optional purpose.

Unable to comply with quarantine requirement based on purpose and duration of travel:

This applies to foreign nationals who are coming to Canada for non-discretionary (essential) travel and are unable to comply with the requirement to quarantine for the 14 day period.

If a foreign national meets all criteria to enter, and is able to comply with the 14 day mandatory quarantine period, but does not have a suitable quarantine accommodation, they are to be referred to the Public Health Agency of Canada (PHAC) in accordance with existing protocols outlined in the shift briefing bulletin 2020-HQ-AC-03-25-B (COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)).

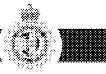
Note: The requirement to quarantine for 14 days does not apply to persons who do not intend to remain in Canada. For example, the 14 day quarantine will not apply to travellers who seek entry to Canada on route to another U.S. destination.

Actions required by BSOs:

Port of Entry (POE) Process for foreign nationals:

The BSO is to determine if the travellers is symptomatic or asymptomatic by asking the health screening symptoms based questions outlined in the shift briefing bulletin 2020-HQ-AC-03-25-B (COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)).





Air Mode: A BSO will establish the purpose of entry at the first point of contact with a traveller at a primary inspection line (PIL) booth, NEXUS triage or at podium/triage position for kiosk-enabled airports.

The BSO will mark the answers on the back of the kiosk receipt or the E311, CBSA Declaration Card.

Land, rail, marine or ferry: If applicable, and the traveller is being referred to secondary, the PIL BSO will mark the answers on the back of the E67 (BSF235), Secondary Referral form or E311, CBSA Declaration Card.

In all modes, BSOs are expected to use the following coding:

- Type of Travel: Discretionary (non-essential) "Disc". If non-Discretionary (essential) - leave blank

If, based on the foreign national's purpose of trip and intended duration of stay, the BSO determines that they will not be able to comply with the mandatory 14 day quarantine period, the BSO will mark the answer as follows:

- Unable to meet quarantine requirement "Quarantine not possible" or if quarantine requirement can be met, leave blank.

If the traveller meets all of the requirements for entry under OIC-11, and no inadmissibility concerns exist, BSOs are to follow the process outlined in shift briefing bulletin 2020-HQ-AC-03-25-B (COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)), including providing the traveller the green handout, and asking all relevant questions related to their quarantine accommodations. If required, the traveller is to be referred to PHAC to determine a suitable quarantine location.

Asymptomatic

Travel is Non-Discretionary or Not Optional (essential) and travellers meet all other criteria to enter Canada

These travellers are to be authorized entry into Canada as long as no other immigration concerns exist.

Follow all procedures outlined in shift briefing bulletin 2020-HQ-AC-03-25-B (COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)).

Note: If a foreign national arrives at a port of entry from the U.S., and their purpose in Canada is considered non-discretionary, they should be allowed to apply for a work permit at the POE if required and permitted to do so under IRPA.

Travel is optional or discretionary (non-essential)

Foreign nationals who seek entry for optional or discretionary reasons are to be advised that they are subject to the prohibition on entry and not allowed into Canada in accordance with OIC-11and are to be directed back to the U.S. as per R41(d) of the Immigration and Refugee Protection Regulations (IRPR).





For more information please consult OBO-2020-021, Regulatory Amendments to Implement Travel Prohibitions in Response to the COVID-19 Pandemic.

Foreign Nationals who are unable to meet quarantine requirement

A foreign national is prohibited from entering Canada from the U.S. if, based on the purpose of entry and intended length of their stay, they will not be able to comply with the requirement to quarantine.

This applies to foreign nationals who are coming to Canada for non-discretionary (essential) travel and are unable to comply with the requirement to quarantine for the 14 day period.

Note: If a foreign national meets the standard for entry, and is able to comply with the 14 day mandatory quarantine period, but does not have a suitable quarantine accommodation, they will be referred to PHAC in accordance with existing protocols outlined in shift briefing bulletin 2020-HQ-AC-03-25-B (COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)).

Symptomatic

Foreign nationals entering from the U.S who have a combination of either a fever and cough; or a fever and breathing difficulties are prohibited from entering Canada even if they meet all other conditions for entry.

Private Conveyance (all purposes of travel)

If a traveller is symptomatic, BSOs are to determine if the traveller requires immediate medical attention. If the traveller requires immediate medical attention, the local emergency medical service is to be called. The BSO will defer the examination in accordance with section 23 of IRPA until such time as the person is cleared by the PHAC QO or released from medical care. A23 will include mandatory conditions (R43) and should include conditions requiring the foreign national to comply with any applicable Quarantine Act measures and request that they return to complete examination once any period of self-isolation or treatment is complete. Once the foreign national becomes asymptomatic or no longer requires immediate medical care, the examination can resume and the office will determine admissibility based on existing processes.

A foreign national who does not require immediate medical attention is prohibited from entering Canada from the U.S. if they have COVID-19 or have signs and symptoms of COVID-19, including:

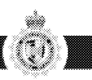
a) a fever and cough; or
b) a fever and breathing difficulties.

Foreign nationals who have a combination of either a fever and cough; or a fever and breathing difficulties will be advised that they are subject to the prohibition on entry in accordance with OIC-11. These foreign nationals will be directed back to the U.S.

For more information please consult OBO-2020-021, Regulatory Amendments to Implement Travel Prohibitions in Response to the COVID-19 Pandemic.

Public Conveyance (all purposes of travel)





A foreign national who does not require immediate medical attention but responds "YES" to the enhanced screening question, is to be processed in accordance with existing enhanced screening measure procedures as per the shift briefing bulletin 2020-HQ-AC-03-25-B (COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)).

The BSO is to issue a PHAC mask kit to the traveller, ask the traveller to wear the surgical mask contained in the kit, and make a mandatory referral for the traveller to report to a quarantine officer (QO) for further questioning. BSOs will follow standard procedures for contacting a PHAC QO through the PHAC Central Notification Service if no QO is on site. BSOs are to follow the directions of the PHAC QO once the QO completes a health assessment.

PHAC QO Orders Symptomatic Traveller to Isolate

If the QO orders the foreign national to isolate, the BSO will defer the examination in accordance with section 23 of IRPA for the duration of the isolation period and until such time as the person is cleared by the PHAC QO. A23 will include mandatory conditions (R43) and should include conditions requiring the FN to comply with any applicable Quarantine Act measures under the new regulatory power R43(1)(e) and direct that they return to complete examination once any period of self-isolation or treatment is complete. Once the FN becomes asymptomatic, the examination can resume and the office will determine admissibility based on existing processes. Admissibility concerns are paused during this period in order to prioritize public health considerations. Once a traveller who is prohibited to enter is asymptomatic, they are to be advised that they cannot enter Canada due to the prohibition order and will be allowed to withdraw their application to enter Canada in accordance with section 42 of IRPR.

For more information please consult OBO-2020-021, Regulatory Amendments to Implement Travel Prohibitions in Response to the COVID-19 Pandemic.

PHAC QO Determines Traveller is not a Case of Concern During Processing at POE

If the PHAC QO clears the traveller at the POE and indicates they are not a case of concern, and allows them to be released, the BSO will observe the following:

- Foreign nationals whose entry is not prohibited under the Quarantine Act emergency order can be allowed to enter Canada, absent other admissibility concerns. BSOs are to follow the process outlined in the shift briefing bulletin 2020-HQ-AC-03-25-B (COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes) and follow the direction of the PHAC quarantine officer.
- Foreign nationals whose entry is prohibited under OIC 11 will be subject to a Direct Back to the U.S.

PHAC will provide support and guidance where required. BSOs will seek guidance from their superintendent as needed.

Claims for Refugee Protection

- Claim for refugee protection at airports, marine ports and between ports of entry: Consult operational bulletin OBO-2020-022: COVID-19 Response - Direct Backs of Foreign Nationals who make a claim for refugee protection at airports, marine ports and between ports of entry
- Claim for refugee protection at land ports of entry: Consult operational bulletin OBO-2020-xxx: *(insert name of OB re asylum claims at POEs – STCA).*





Actions required by BSOs working at the Telephone Reporting Center (TRC):

General Aviation

BSOs working at the TRC will advise the aircraft operator during the first call to the TRC (48-2 hour advance notification) that foreign nationals arriving in Canada from the U.S. who are symptomatic for COVID-19; or who are travelling for optional or discretionary purposes; and who, based on their purpose of travel and intended length of stay, are unable to comply with the 14 day mandatory quarantine period, will not be allowed to seek entry into Canada.

The BSO will continue to process the travellers in accordance with existing enhanced screening measures as outlined in the shift briefing bulletin 2020-HQ-AC-03-25-B (COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)).

Pleasure craft, snowmobiles and vehicles

In the case of NEXUS and CANPASS Private Boat members, BSOs working at the TRC will advise the pleasure craft operator during the first call to the TRC (4 hour - 30 min advance notification) that foreign nationals arriving in Canada from the U.S. are subject to travel prohibitions. In the case of non-member pleasure craft, snowmobiles and vehicles, this information will be provided to the caller when they call the TRC to report their arrival in Canada.

The TRC officer will question travellers in accordance with the enhanced screening measures about their purpose for entering Canada and advise the conveyance operator that travellers who are symptomatic, who are travelling for non-essential purposes, or who, based on their purpose of travel and intended length of stay, are unable to comply with the 14 day mandatory quarantine period will not be allowed to seek entry into Canada in accordance with OIC 11.

Secondary referrals

The TRC officer will make a mandatory secondary referral in the TRC System for quarantine screening on **all** conveyances reporting through the TRC (100% referrals).

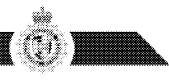
The TRC officer will notify the superintendent at the responding verification office of the referral and advise them of the following if any travellers:

- on board an inbound or arriving conveyance have COVID-19 or are displaying signs or symptoms associated with the coronavirus, which are a fever and cough or a fever and breathing difficulties; and/or
- the travellers are coming to Canada for optional or discretionary reasons; and/or
- who, based on their purpose of travel and intended length of stay, are unable to comply with the 14 day mandatory quarantine period

The TRC will provide all conveyance and passenger details related to the passage to the superintendent.

Note: If the traveller is prohibited to enter in accordance with OIC 11 and the verification office is unable to attend to meet the conveyance, the TRC BSO will instruct the operator/travellers that they are not permitted to enter Canada and will direct them back to the U.S. as per R41(d) of the IRPR. The TRC BSO will **not** provide the report number to the conveyance operator and will instruct them to turn back and leave the Canadian aerodrome, waters or soil (snowmobiles or vehicles) immediately. The TRC BSO will make pertinent notes in the TRC System regarding the circumstances of the passage, document that the travellers were instructed to leave Canada





(directed back), notify the CBSA Marine Security Operations Centre (MSOC) intelligence officer as per instructions below, and complete the entry and make the necessary notes in the Global Case Management System (GCMS) to document the direction given to the travellers.

Notification to the CBSA MSOC intelligence officers:

Further to issuing a direct back to the vessel operator, the BSO will advise the respective CBSA MSOC embed by emailing one of the following CBSA intelligence officers (depending on the geographic location of the vessel's arrival):

- MSOC West: Robin.Whitney@cbsa-asfc.gc.ca
- Great Lakes MSOC: Leticia.Hoffer-Chapman@cbsa-asfc.gc.ca
- MSOC East and Arctic: Lisa.DelVillano@cbsa-asfc.gc.ca

Actions required by BSOs and superintendents working at verification offices:

Verification BSOs will make every effort to attend all TRC referrals for travel prohibitions and enhanced border measures. The superintendent will discuss the situation with verification BSOs responding to the TRC referrals for the arriving conveyances and ensure that the BSOs have the appropriate personal protective equipment for their use.

Travellers who have been deemed to be symptomatic, travelling for non-essential reasons, or are unable to meet the quarantine requirement are to be advised that they are subject to the prohibition on entry and not allowed into Canada in accordance with the Quarantine Act Section 58 Emergency Order. The BSO is to follow the process for non-essential travel outlined above and direct the travellers back to the U.S. as per R41(d) of the IRPR, and complete the necessary action/notes in the TRCS and the GCMS.

If a direct back is issued, the verification BSO will notify the CBSA MSOC embed as per the instructions above.

Actions required by superintendents:

Superintendents must ensure that front line officers follow the above outlined procedures and continue to follow all previous procedures put in place.

Superintendents are to ensure the appropriate data is entered into the Operational Reporting Application under the appropriate headings. The data must be entered into ORA by the ports of entry for the entire preceding 24 hours period (0000-2359 hours) no later than 06:00 EDT. Consult Shift Briefing Bulletin: 2020-HQ-AC-02-08-B Reporting – COVID-19 for reporting instructions and more information.

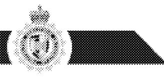
Inquiries:

Officers may direct any questions through the regional Corporate and Program Services Divisions, which (if required) will then send an email to the Novel Coronavirus Task Force generic inbox: CBSA.Corona_Virus_TF-GT_virus_Corona.ASFC@cbsa-asfc.gc.ca.

References:

COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)
2020-HQ-AC-03-25-B, Annex A: PHAC Contact Information Collection (Compliance and Monitoring)
2020-HQ-AC-03-26: Prohibiting Certain Foreign Nationals From Entering Canada from any Country other than the United States





2020-HQ-AC-03-26-B: Restricting the non-essential travel to Canada of U.S citizens and other foreign nationals arriving from the United States (all modes) Annex A: Entry Restrictions and Exemptions - Essential / Non-Discretionary Travel and Non-Essential / Discretionary Travel Annex B: Determining whether entry will be for a discretionary/optional purpose and whether an individual is exempt from mandatory self-isolation Quarantine Standard Operating Procedures 2019-HQ-AC-05-15: Changes to the Public Health Agency of Canada (PHAC)'s Quarantine Services: New PHAC Notification Procedures Job aid: Role of the BSO (screening officer) 2020-HQ-AC-01-26: Occupational Health Advisory: Novel Coronavirus 2020-HQ-AC-02-08-B: Reporting – Novel Coronavirus (2019-nCoV) Operational Bulletin - Regulatory Amendments to Implement Travel Prohibitions in Response to the COVID-19 Pandemic Operational Bulletin - COVID-19 Response - Direct Backs to the USA for Foreign Nationals who make a claim for refugee protection
Issued by: Novel Coronavirus Task Force

Bitsene, Jonathan

From: Cardin, Katerine
Sent: Thursday, April 23, 2020 5:35 PM
To: CBSA-ASFC_International_Networks-Réseaux_Internationaux
Subject: Guidance on OiC 11
Attachments: 22 April 2020 US CAN dashboard.docx; 22 April 2020 World CAN dashboard.docx; 22 avril Tableau de bord CAN-EU.docx; 22 avril Tableau de bord CAN-Monde.docx; Purpose of travel.docx; Raison du voyage.docx; MLQA - OIC 11 (CBSA - IRCC - PHAC)_PCO edits-no tc-iod.docx

Bonjour,

Please find attached our updated dashboards as well as a one-pager developed for the air carriers on the concept of essential vs non-essential travel. These have been distributed by Transport Canada to all the airlines flying to Canada and you may also share locally.

We also include media lines developed with other departments on OiC 11 which you may find useful.

On travaille sur une prochaine liste de scénarios qui vous seront acheminés bientôt.

Cordialement,

Katerine Cardin
Manager, International Operations
Strategic Policy Branch
Canada Border Services Agency (CBSA)
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Katerine Cardin
Gestionnaire, Opérations internationales
Direction générale de la Politique stratégique
Agence des services frontaliers du Canada (ASFC)
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Bitsene, Jonathan

From: Dakalbab, Talal
Sent: Thursday, March 26, 2020 2:13 PM
To: CBSA-ASFC_International_Networks-Réseaux_Internationaux
Cc: CBSA.O Strategic-IR LOA / Strategique-RI AAL O.ASFC
Subject: COVID-19: Travel Restrictions Notice and Q&As / Avis de restriction de voyage et Q-R
Attachments: FINAL General Questions and Answers IO3-OiC7-OiC8-OiC9.pdf; FINAL World-CAN Dashboard.pdf; FINAL Dashboard for travel from the United States to Canada.pdf; 2020-185.pdf; 2020-184.pdf; 81200-2-525-DATED.pdf

Hello,

In response to the COVID-19 related travel restrictions to Canada, please find attached two dashboards (one for US-CAN and one for World-CAN travel) to guide Liaison Officers in the application of these restrictions, and can be shared with airlines.

Additionally, we have attached a revised Q&A package, **for internal use only**, to answer your general questions related to COVID-19 travel restrictions.

You will also find attached Orders 7, 8 and 9 which now are into force, and the link to Interim Order 3.

If you have questions or require additional information please let us know and we will action accordingly.

Thank you,

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En réponse aux restrictions de voyage liées au COVID-19 au Canada, veuillez trouver ci-joint un guide pour les agents de liaison dans l'application de ces restrictions, qui peut être partagé avec les compagnies aériennes.

De plus, veuillez trouver ci-joint un ensemble de questions et réponses révisé, **pour usage interne seulement**, pour répondre aux questions relatives aux restrictions de voyage COVID-19.

Vous trouverez ci-joints les Décrets 7, 8 et 9 qui sont effectifs immédiatement ainsi que le lien pour l'Arrêté d'urgence no 3.

Laissez-moi savoir si vous avez des questions.

Merci.

Talal Dakalbab
Director General
International Policy and Partnerships
Strategic Policy Branch
Canada Border Services Agency | Government of Canada
Talal.Dakalbab@cbsa-asfc.gc.ca | Tel: 613-946-3183

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Canada Border Services Agency / Agence des services frontaliers du Canada



FOR CBSA EYES ONLY

COVID-19 TRAVEL BAN FAQs
Guidance for Liaison Officers

This document is used to provide additional guidance to Liaison Officers related to:
Interim Order 3
Order in Council 7
Order in Council 8
Order in Council 9

Additional guidance will be provided on new Orders as they are signed by the appropriate authority.

Given the growing complexity of the Orders being provided to LOs, we have developed two dashboard to be used as your main guidance tool but general questions, not related to a specific ban or related to definitions will be kept in this document.

GENERAL – Questions and Answers:

G – Q1: Are unaccompanied minors allowed to board?
G – A1: Yes, if they are exempted or if they hold a consular letter.

G – Q2: What recourse do people have if they have previously booked tickets and are no longer allowed to board flights to Canada?
G – A2: The LO should refer the passenger to the airline.

G – Q3: What role do CBSA LOs play in keeping non-citizens and non-exempted travellers from boarding flights to Canada?
G – A3: LOs operate in an advisory capacity to airlines and immigration partners on passenger documentation. They will work remotely with airlines and other partners responsible for document screening of Canada-bound travellers to ensure that passengers seeking to board a flight to Canada are properly documented. LOs will not be actively seeking out travellers who are not eligible to fly to Canada under the new ban. The final decision on whether to board a traveller rests with the airline. We expect LOs to actively monitor their business lines to support airlines as we transition to the new border measures.

G – Q4: Will LOs be identifying symptomatic passengers?
G – Q4: No. CBSA LOs are not medical professionals. Air operators will be required to do a basic health assessment of all air travellers before they board the flight based on guidance from the Public Health Agency of Canada. This would include the operator asking simple health questions, looking for visible signs of illness prior to boarding, and possibly referring the traveller for a further medical assessment.



FOR CBSA EYES ONLY

In the event the traveller presents COVID-19 symptoms, the air carrier will be required to refuse to board the passenger for travel for a period of 14 days. Should the traveller still wish to board a flight to Canada after 14 days, they must demonstrate that they are non-symptomatic, or have a medical certificate that confirms the patient does not carry the virus.

G – Q5: Will LOs be expected to facilitate Canadians with no/expired documents?
G – A5: Operational Bulletin PRG-2013-26 will continue to apply regarding facilitation of Canadians. It will remain up to the LO's judgement whether to recommend to an airline that a person is properly documented. In simple terms, if an LO is satisfied that a traveller is a Canadian citizen, they should facilitate the traveller. The port of entry should be notified of the inbound travellers to avoid complications on arrival.

G – Q6: What role does the Air Carrier Support Centre (ACSC) play in enforcing the restrictions?
G – A6: The role of the ACSC remains a supportive one to airlines. ACSC officers are expected to familiarize themselves with the travels bans and with these Qs&As and to provide guidance to airlines on the application of the restrictions. Officers from the ACSC should only refer the airlines to LOs if they cannot answer a question with the information they have, or if more interpretation is needed.

G – Q7: Will CBSA LOs be working out of airports more than usual to assist airlines?
G – A7: Guidance from managers and local security programs should be sought and any local travel restrictions/telework advisories currently in place at mission should be respected. Additionally, LOs should refer to Government of Canada advisories and policies related to essential work.

G – Q8: How long will these restrictions be in place?
G – A8: These restrictions are subject to change, LOs will be advised accordingly.

G – Q9: Will the CBSA be issuing direct formal messaging to airlines?
G – A9: Transport Canada is the lead interlocutor for the Government of Canada with airlines. The CBSA may transmit formal messages via Transport Canada.

G – Q10: Is overtime (OT) approved for dealing with queries and cases relating to this regulation?
G – A10: OT will be approved as per collective agreements in place. Internal order (IO) number 724512 has been established for work relating to COVID-19. Please consult your manager for additional information.

G – Q11: Do we have lines for dealing with Consular and IRCC at mission?
G – A11: As Government of Canada partners, GAC and IRCC have lines already relating to these restrictions. Should CBSA Communications provide speaking lines, they will be transmitted to Liaison Officers.



FOR CBSA EYES ONLY

G – Q12: Will this ban impact removals?
G – A12: Removals have been stopped. Note that the removal of serious criminal cases may continue but this would be via exception only, following a case-by-case assessment by senior staff. Clients who currently have removals scheduled should expect to hear from the CBSA in the coming days to confirm cancellation of removal and be advised of next steps. Those who wish to depart Canada voluntarily despite the current global pandemic, may do so.

G – Q13: Will PRs with expired or missing PR cards be allowed to travel?
G – A13: LOs should use their discretion and facilitate whenever possible. If an LO is satisfied that a traveller with an expired PR card or no PR card on hand is a *bona fide* PR, facilitation should be encouraged, especially if the expiry date is recent and after verifying the identity of the individual.

G – Q14. Can a letter from a hospital be accepted instead of a letter from a consular officer?
G – A14. No.

G – Q15: Are Transit Without Visa (TWOV) / China Transit Program (CTP) passengers exempted from the travel ban?
G – A15: Yes, however the following must be noted:

- The United States (US) has instituted travel bans on any non-US citizens or US PR travellers who have been in certain countries in the past 14 days.
- Any TWOV or CTP passengers attempting to transit Canada to the US who have been in any of the designated countries will not be allowed to continue on to the US.
- As with other transit passengers under the ban, they cannot leave the airport-their flights must be continuous.

G – Q16: Are foreign nationals in possession of a valid immigrant visa (landing papers), who are seeking to become a permanent resident in Canada, allowed to board a flight to Canada?
G – A16: at this time, foreign nationals in possession of a valid immigrant visa/landing papers are not allowed to board unless they also meet the criteria of one of the exemptions above.

Additionally, you should encourage students and temporary workers to monitor IRCC Government of Canada website to ensure they have the most up-to-date information of when they may be allowed to come to Canada for the purposes of studying and/or working as the situation is fluid.

G – Q17: Are all transiting passengers allowed to board?
G – A17: No, only direct transiting passengers should be allowed to board (i.e. passengers whose transit allows them to remain in the same airport). Terminal to terminal transfer is allowed.

G – Q18: How do I determine what is considered "non-essential" and essential travel?

G – A18: Non-essential travel is defined as travel for the purposes of tourism, recreation and entertainment, but not limited to these specific examples.

Essential travel is defined, but is not limited to, travel for the purposes of: economic services and supply chains; critical infrastructure support; health (immediate medical care), safety and security; transiting through Canada for essential purposes; indigenous communities; cross-border employment; tending to family matters for essential purposes; and shopping for essential goods such as medication or basic needs, work and study.

G – Q19: Who is considered to be an immediate family member according to Order 6?

G – A19: To be considered an immediate family member you must be:

- (1) spouse/common-law partner of the person;
- (2) a dependent child of the person or of their spouse/common-law partner;
- (3) a dependent child of a dependent child of the person or their spouse/common-law partner;
- (4) a parent/step-parent of the person or of their spouse/common-law partner; or
- (5) the guardian/tutor of a person.

G – Q20: Will immediate family members not already in possession of a Temporary Resident Visa be permitted to apply for one?

G – A20: Yes, note that Immigration, Refugees and Citizenship Canada offices have limited operations but remain open.

G – Q21: How extensively should Liaison Officers (LO) attempt to verify relationship?

G – A21: In terms of verification, due diligence should be performed. If an LO is contacted by an air carrier for advice, and is satisfied of the relationship through passenger interview or any documentation presented (birth certificates, marriage certificates, bills, etc.), no further verification is needed. If there are any doubts or concerns, or there is no supporting documentation presented, GCMS checks could be conducted.

G – Q22: What is the age cut-off for dependent children?

G – A22: To be considered a dependent child (**OR** a dependent child of a dependent child), the child must be:

- 21 years old or younger and not have a spouse or common-law partner; or
- 22 years old or older, have been financially dependent on the parent(s) since before turning 22, and be physically and/or mentally unable to support him or herself financially.

G – Q23: Does the Canadian citizen or PR need to be accompanying the immediate family member to be exempt?

G – A23: No, immediate family members do not need to be accompanied by the Canadian or PR.



FOR CBSA EYES ONLY

G – Q24: Are deadheading air crew and seafarers entering Canada to join a marine vessel as crew members included in the exemptions?
G – A24: Yes.

G – Q25: Does the ban apply to diplomats?
G – A25: Diplomats that have been issued an accreditation counterfoil by GAC are exempted. All others are subject to the travel ban.

G – Q26: How can you determine if some is a guardian or tutor?
G – A26: in order to qualify as a guardian/tutor, they should be able to demonstrate that they habitually reside at the same address as the minor.

G – Q27: Are the immediate family members of someone with a student or work permit allowed to come to Canada?
G – A27: No, family members of workers and students are not exempt unless they are also immediate family members of Canadian Citizen or Permanent Resident, or unless family reunification clause applies (with written authorization from GAC/IRCC).

Travel from anywhere in the WORLD, other than the US, to Canada			
Pre-boarding obligations?	**Are travellers allowed to transit through Canada?**	**Who is allowed to come to Canada?**	**What are travellers obligations once they enter Canada?**
Which order applies? • **Interim Order 3 applies. Sections 9 to 13.** **What are the obligations?** **Yes, airlines must:** • (1) Conduct, at the boarding gate, a health check of every person prior to boarding and must ask additional questions if the travellers is exhibiting a fever, cough, and breathing difficulty; • (2) Ask the traveller these questions, if they exhibit those symptoms: • Has the traveller been denied boarding in the past 14 days due to a medical reason related to COVID-19. • (3) Advise any person not to provide answers to the health check or the additional questions in a way they know to be false or misleading; • (4) Not board a person if their answers to the health questions indicate they exhibit: • A fever and a cough, or • A fever and breathing difficulties; • (5) Not board a person if the airline observes, during the health check, that the person is exhibiting: • A fever and a cough, or • A fever and breathing difficulties; • (6) Deny boarding if the passenger tells the airline that they **HAVE** been denied boarding for reason related to COVID-19 in the past 14 days; and	**Which order applies?** • **Interim Order 3 applies.** **Are travellers allowed to transit through Canada?** • **Yes**, as long as the foreign national is not showing symptoms of COVID-19 (a fever and a cough; or a fever and difficulty breathing), AND DOES NOT REQUIRE TO CLEAR CBSA CUSTOMS, they are allowed to transit from international-to-international in Canada. ○ Traveller must remain in secure international transit zone/area, which implies no transfers between airports or airport terminals for connecting flight.	**Which order applies?** • **Order 7 applies.** **Who is allowed to come to Canada under Order 7?** • Immediate family member of Canadian citizens and permanent residents; • Crew member; • Accredited diplomat and their immediate family members, including representative from the United Nations and international organizations for which Canada is part of; • A French citizen who resides in St. Pierre and Miquelon (SPM) who has only been in SPM, the U.S. or Canada during the period of 14 days before the day on which they board; • Person or any person in class of persons who, in the opinion of the Chief Public Health Officer: • does not pose a risk of significant harm to the public health, or • will provide an essential service while in Canada; • A person who arrives by means of a vessel, if the vessel departed before 00:00:01 am Eastern Daylight Time on March 21, 2020 and had a scheduled destination of Canada upon its departure; • Person who is authorized, in writing, by a consular officer of the Government of Canada to enter Canada for the purpose of reuniting immediate family members; • Foreign national travelling at the invitation of the Minister of Health for the purpose of assisting in the COVID-19 response; • Person who arrives by means of an aircraft operated by the Canadian Forces or the Department of National Defence; • Member of the Canadian military, visiting forces, and their immediate family members; • Person whose presence in Canada, in the opinion of the Minister of Foreign Affairs, Immigration, or Public Safety, is in the national interest; • A person who holds a valid study or work permit in Canada; • A person whose application for a **work permit** in Canada was approved, and who received written notice but has not yet been issued the permit; • A person whose application for a **study permit** in Canada was approved, and who received written notice of the approval before noon (EDT) on March 18, 2020 but has not yet been issued the permit; • a student in a health field, including as a medical elective or clinical clerk at a medical teaching institution in Canada, for the primary purpose of acquiring training, if they have written approval from the body that regulates that field; • A provider of emergency services, including medical services, for the protection or preservation of life or property; • A licensed health care professional with proof of employment in Canada; • A person who seeks to enter Canada for the purpose of delivering, maintaining, or repairing medically-necessary equipment or devices; • a person who seeks to enter Canada for the purpose of making medical deliveries of cells, blood and blood products, tissues, organs or other body parts, that are required for patient care in Canada during or within a reasonable period of time after the expiry of the Order; • A person whose application for permanent residence in Canada was approved, and who received written notice of the approval before noon (EDT) on March 18, 2020 but has not yet become a permanent resident; and • A worker in the marine transportation sector who is essential for the movement of goods by vessel, and who seeks to enter Canada for the purpose of performing their duties in that sector.	**Which order applies?** • **Order 8 applies.** **What are travellers obligations once they enter Canada?** **Travellers must:** • Isolate themselves, by order of law, without delay in accordance with instructions provided by a BSO, screening officer, or a quarantine officer and remain in isolation until the expiry of the 14-day period that begins on the day they enter Canada; and • Monitor for signs and symptoms of COVID-19 until the expiry of the 14-day period, and if they develop any signs or symptoms of COVID-19, follow instructions provided by the public health authority specified by a screening officer or quarantine officer (i.e. report their signs and symptoms to local health officials). **Are there exceptions to these obligations? Yes.** • Crew members; • Foreign national travelling at the invitation of the GoC for the purpose of assisting in the COVID-19 response or whose entry would be in the national interest; • Member of the Canadian military or visiting forces; • Person or any person in class of persons who, in the opinion of the Chief Public Health Officer does not pose a risk of significant harm to the public health, or will provide an essential service while in Canada, including: ○ Persons making necessary medical deliveries during or within a reasonable period of time of the duration of the Order or within reasonable time after that, of cells, blood and blood products, tissues, organs, or other similar lifesaving human body parts, that are required for patient care in Canada; ○ Asymptomatic persons in the trade and transportation sector who are important for the movement of goods and people, including truck drivers and crew on any plane, train or marine vessel, and that cross the border while performing their duties or for the purpose of performing their duties; ○ Asymptomatic persons who have to cross the border regularly to go to work, including in the health care sector or critical infrastructure workers for the purpose of performing their duties; and

• (7) Deny boarding if a traveller (who is a competent adult) refuses to answer question if they have the symptoms outlined in question 1 and if they have been denied boarding in the past 14 days (questions 2). **<u>Are there additional obligations?</u>** **Yes, airlines must:** • Not board a person who either reported or exhibited a fever and a cough, or a fever and breathing difficulties, during their original boarding (if 14 days have not passed since) unless the person has a medical certificate stating that the symptoms are **<u>NOT</u>** related to COVID-19.		**<u>Are there exemptions under Order 7?</u> Yes, if:** • A foreign national can only enter Canada if they have: (1) essential business, AND (2) have no COVID-19 symptoms (I.e. a fever and cough, OR a fever and breathing difficulties); and • Any foreign national exhibits COVID-19 symptoms (I.e. a fever and cough, OR a fever and breathing difficulties) should not be allowed to board a flight or vessel to Canada or enter Canada (as per Interim Order 3). **<u>How do I determine what is considered "non-essential" and essential travel?</u>** • Non-essential travel is broadly defined as travel for the purposes of tourism, recreation and entertainment, but not limited to these specific examples. • Essential travel is defined, but is not limited to, travel for the purposes of: economic services and supply chains; critical infrastructure support; health (immediate medical care), safety and security; transiting through Canada for essential purposes; indigenous communities; cross-border employment; tending to family matters for essential purposes; shopping for essential goods such as medication or basic needs, **<u>AND</u>** to work and study with appropriate documentation. **<u>Is anyone completely exempt from this order?</u> Yes.** • Anyone registered as an Indian under the Indian Act; and • Protected Person presenting a Convention Refugee travel document. **<u>When does Order 7 end?</u>** • June 30, 2020.	o Asymptomatic persons who have to cross the border to provide or receive essential services, including emergency responders and personnel providing essential services to Canadians related to the COVID-19 outbreak. • Person whose presence in Canada, in the opinion of the Minister of Foreign Affairs, Immigration, or Public Safety, is in the national interest; • A provider of emergency services, including medical services, for the protection or preservation of life or property; • A person who enters Canada for the purposes of providing medical care or transporting essential medical equipment, supplies, or means of treatment; or • A person who enters Canada for the purpose of receiving essential medical services or treatment, **<u>OTHER</u>** than services or treatments related to COVID-19. ***Please note that LOs should also advise airlines and travellers that people coming to Canada should also be mindful of provincial border closures as this could impact their full return home.

Travel from the United States to Canada			
Pre-boarding obligations?	Are travellers allowed to transit through Canada?	Which travellers are allowed to come to Canada?	What are travellers obligations once they enter Canada?
Which order applies? • **Interim Order 3 applies. Sections 5 to 8.** **What are the obligations?** **Foreign nationals must:** • Confirm to the airline that have read Order 9 and certify, to the best of their ability, that they are eligible to travel to Canada; and • Not provide a confirmation under false or misleading pretenses. **Airlines must:** • Notify every foreign national that they may be denied entry to Canada if they are not exempt under Order 9; • Not board a foreign national, who is a competent adult, on a flight to Canada if they do not provide confirmation that they are eligible to come to Canada; • Conduct, at the boarding gate, a health check of every person prior to boarding; and • Not board an individual who is exhibiting the following symptoms: a fever and a cough; or a fever and difficulty breathing.	**Which order applies?** • **Interim Order 3 applies.** **Are travellers allowed to transit through Canada?** • **Yes**, as long as the foreign national is not showing symptoms of COVID-19 (a fever and a cough; or a fever and difficulty breathing), AND DOES NOT REQUIRE TO CLEAR CBSA CUSTOMS, they are allowed to transit from international-to-international in Canada. ○ Traveller must remain in secure international transit zone/area, which implies no transfers between airports or airport terminals for connecting flight.	**Which order applies?** • **Order 9 applies.** **Who is banned from coming to Canada under Order 9?** • Order 9 bans entry by all foreign nationals travelling (all modes) from the US to Canada who: ○ Exhibit signs or symptoms of COVID-19, either a fever and a cough, or a fever and breathing difficulties; ○ Seek to enter for any optional or discretionary reason (non-essential); ○ Seek to enter, unless for an essential reason, is prohibited from entering Canada if they have been outside Canada and the United States during the period of 14 days before the day on which they seek to enter Canada; or ○ Seek to enter Canada for the purpose of claiming refugee status. **Are there exceptions to Order 9? Yes. Exceptions to this ban are:** • Immediate family member of Canadian citizens and permanent residents; • Crew member; • Accredited diplomat and their immediate family members, including representative from the United Nations and international organizations for which Canada is part of; • A French citizen who resides in St. Pierre and Miquelon (SPM) who has only been in SPM, the U.S. or Canada during the period of 14 days before the day on which they board; • Person or any person in class of persons who, in the opinion of the Chief Public Health Officer: ○ does not pose a risk of significant harm to the public health, or ○ will provide an essential service while in Canada; • A person who arrives by means of a vessel, if the vessel departed before 00:00:01 am Eastern Daylight Time on March 21, 2020 and had a scheduled destination of Canada upon its departure; • Person who is authorized, in writing, by a consular officer of the Government of Canada to enter Canada for the purpose of reuniting immediate family members; • Foreign national travelling at the invitation of the Minister of Health for the purpose of assisting in the COVID-19 response; • Person who arrives by means of an aircraft operated by the Canadian Forces or the Department of National Defence; • Member of the Canadian military, visiting forces, and their immediate family members; • Person whose presence in Canada, in the opinion of the Minister of Foreign Affairs, Immigration, or Public Safety, is in the national interest; • A person who holds a valid study or work permit in Canada; • A person whose application for a **work permit** in Canada was approved, and who received written notice but has not yet been issued the permit; • A person whose application for a **study permit** in Canada was approved, and who received written notice of the approval before noon (EDT) on March 18, 2020 but has not yet been issued the permit; • a student in a health field, including as a medical elective or clinical clerk at a medical teaching institution in Canada, for the primary purpose of acquiring training, if they have written approval from the body that regulates that field; • A provider of emergency services, including medical services, for the protection or preservation of life or property; • A licensed health care professional with proof of employment in Canada; • A person who seeks to enter Canada for the purpose of delivering, maintaining, or repairing medically-necessary equipment or devices;	**Which order applies?** • **Order 8 applies.** **What are travellers obligations once they enter Canada?** **Travellers must:** • Isolate themselves, by order of law, without delay in accordance with instructions provided by a BSO, screening officer, or a quarantine officer and remain in isolation until the expiry of the 14-day period that begins on the day they enter Canada; and • Monitor for signs and symptoms of COVID-19 until the expiry of the 14-day period, and if they develop any signs or symptoms of COVID-19, follow instructions provided by the public health authority specified by a screening officer or quarantine officer (i.e. report their signs and symptoms to local health officials). **Are there exceptions to these obligations? Yes.** • Crew members; • Foreign national travelling at the invitation of the GoC for the purpose of assisting in the COVID-19 response or whose entry would be in the national interest; • Member of the Canadian military or visiting forces; • Person or any person in class of persons who, in the opinion of the Chief Public Health Officer does not pose a risk of significant harm to the public health, or will provide an essential service while in Canada, including: ○ Persons making necessary medical deliveries during or within a reasonable period of time of the duration of the Order or within reasonable time after that, of cells, blood and blood products, tissues, organs, or other similar lifesaving human body parts, that are required for patient care in Canada; ○ Asymptomatic persons in the trade and transportation sector who are important for the movement of goods and people, including truck drivers and crew on any plane, train or marine vessel, and that cross the border while performing their duties or for the purpose of performing their duties; ○ Asymptomatic persons who have to cross the border regularly to go to work, including in the health care sector or critical infrastructure workers for the purpose of performing their duties; and ○ Asymptomatic persons who have to cross the border to provide or receive essential services, including emergency responders and personnel providing

		• a person who seeks to enter Canada for the purpose of making medical deliveries of cells, blood and blood products, tissues, organs or other body parts, that are required for patient care in Canada during or within a reasonable period of time after the expiry of the Order; • A person whose application for permanent residence in Canada was approved, and who received written notice of the approval before noon (EDT) on March 18, 2020 but has not yet become a permanent resident; and • A worker in the marine transportation sector who is essential for the movement of goods by vessel, and who seeks to enter Canada for the purpose of performing their duties in that sector. *****Please note that foreign nationals can <u>only</u> enter Canada from the US if they have:** (1) essential business, (2) have been residing in the US or Canada in the past 14 days; **<u>AND</u>** (3) have no COVID-19 symptoms (I.e. a fever and cough, **<u>OR</u>** a fever and breathing difficulties). **<u>How do I determine what is considered "non-essential" and essential travel?</u>** • Non-essential travel is broadly defined as travel for the purposes of tourism, recreation and entertainment, but not limited to these specific examples. • Essential travel is defined, but is not limited to, travel for the purposes of: economic services and supply chains; critical infrastructure support; health (immediate medical care), safety and security; transiting through Canada for essential purposes; indigenous communities; cross-border employment; tending to family matters for essential purposes; shopping for essential goods such as medication or basic needs, **<u>AND</u>** to work and study with appropriate documentation. **<u>Under Order 9, what happens if a foreign national arrives at the border to make a refugee claim?</u>** • **<u>If the foreign national is coming from the US</u>** to make their claim in Canada, they will be **DIRECTED BACK** to the US and will be allowed to remain in the US for the duration of the Order 9 travel ban. They will be directed to check a web site which will instruct them on when the prohibition has been lifted and they may return to Canada to make their claim. **<u>Are there exceptions to this ban on refugee claims?</u>** Yes, they are as follows: • US nationals can make a refugee claim **<u>IF</u>** claiming persecution by the US; • Parents or legal guardians of any US nationals under the age of 18 can make a refugee claim; and • Anyone who meets the following **<u>three</u>** criteria can make a refugee claim: o They are under the age of 18 and are not accompanied by a parent or legal guardian; o They have no spouse or common-law partner; and o They have no parents or legal guardian. **<u>Further to refugee claim exemption 2, can a foreign national who is not a US national, but does have a minor child that is a US national, be permitted to enter Canada to make a refugee claim?</u>** • Yes. For example, a Mexican mother of a 15-year-old US national **<u>CAN</u>** enter Canada to claim refugee status. **<u>Is anyone completely exempt from this order?</u> Yes.** • Anyone registered as an Indian under the Indian Act; • Person or any person in class of persons who, in the opinion of the Chief Public Health Officer does not pose a risk of significant harm to the public health; and • Protected Person presenting a Convention Refugee travel document. **<u>When does Order 9 end?</u>** • April 21, 2020.	essential services to Canadians related to the COVID-19 outbreak. • Person whose presence in Canada, in the opinion of the Minister of Foreign Affairs, Immigration, or Public Safety, is in the national interest; • A provider of emergency services, including medical services, for the protection or preservation of life or property; • A person who enters Canada for the purposes of providing medical care or transporting essential medical equipment, supplies, or means of treatment; or • A person who enters Canada for the purpose of receiving essential medical services or treatment, **<u>OTHER</u>** than services or treatments related to COVID-19. ***Please note that LOs should also advise airlines and travellers that people coming to Canada should also be mindful of provincial border closures as this could impact their full return home.

Bitsene, Jonathan

From:	Larose, Charlene
Sent:	Saturday, March 28, 2020 1:00 AM
To:	CBSA-ASFC_International_Networks-Réseaux_Internationaux
Cc:	CBSA.O Strategic-IR LOA / Strategique-RI AAL O.ASFC
Subject:	UPDATED - COVID-19: Travel Restrictions Notice / Avis de restriction de voyage
Attachments:	Revised FINAL World-CAN Dashboard (002).pdf; Revised FINAL Dashboard for travel from the United States to Canada (002).pdf; COVID-19 Air Carrier Matrix.xlsx

*****French version to follow*****

Hello everyone,

Further to a network management meeting that took place this afternoon, we revised the two dashboards we provided to you on Thursday and added an overview matrix that provides a quick reference for your work, specifically focussed on the exceptions to the ban. Please note that all three of these documents **CAN** be provided to airlines.

The general Q's & A's we provided on Thursday have not been updated since they are still up-to-date, but those continue to remain for CBSA eyes only.

I expect that all Regional Directors and International Network Managers will be holding a call with their respective regions over the next day to make certain that this message is clear.

If you have questions, comments or suggestions keep us informed as NHQ is working around the clock to make certain that each of you have the tools to your job.

Thank you for your continued commitment and dedication.

Stay safe!

Charlene Larose *for Talal Dakalbab*

Talal Dakalbab
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Directeur général
Politiques et partenariats internationaux
Direction générale de la politique stratégique
Agence des services frontaliers du Canada | Gouvernement du Canada

Travel from anywhere in the WORLD, other than the US, to Canada			
Pre-boarding obligations?	Are travellers allowed to transit through Canada?	Who is allowed to come to Canada?	What are travellers obligations once they enter Canada?
Which order applies? • **Interim Order 3 applies. Sections 9 to 13.** **What are the obligations?** **Yes, airlines must:** • (1)Conduct, at the boarding gate, a health check of every traveller prior to boarding and must ask additional questions if the travellers is exhibiting a fever and a cough or a fever and a breathing difficulty; • (2) Ask the traveller these questions, if they exhibit those symptoms: ◦ Has the traveller been denied boarding in the past 14 days due to a medical reason related to COVID-19. • (3) Advise any person not to provide answers to the health check or the additional questions in a way they know to be false or misleading; • (4) Not board a person if their answers to the health questions indicate they exhibit: ◦ A fever and a cough, or ◦ A fever and breathing difficulties; • (5) Not board a person if the airline observes, during the health check, that the person is exhibiting: ◦ A fever and a cough, or ◦ A fever and breathing difficulties; • (6) Deny boarding if the passenger tells the airline that they **HAVE** been denied boarding for reason related to COVID-19 in the past 14 days; and	Which order applies? • Interim Order 3 applies. **Are travellers allowed to transit through Canada?** • Yes, as long as the foreign national is not showing symptoms of COVID-19 (a fever and a cough; or a fever and difficulty breathing), AND DOES NOT REQUIRE TO CLEAR CBSA CUSTOMS, they are allowed to transit from international-to-international in Canada. ◦ Traveller must remain in secure international transit zone/area, which implies no transfers between airports. The traveler must be booked and confirmed on an onward international flight (including luggage checked through to final destination)*** NO overnight transit in YYZ***	**Which order applies?** • **Order 7 applies.** **The travel ban in place allows certain categories of foreign nationals to travel to Canada under the following circumstances:** **1) If they don't exhibit COVID-19 symptoms (i.e. a fever and cough, OR a fever and breathing difficulties)** AND **2) If they do not intend to travel to Canada for non-essential purposes including tourism, recreation or entertainment.** If meeting these two criteria, here are the exemption to the travel ban that will allow foreign nationals to travel to Canada: • Immediate family member of Canadian citizens and permanent residents; • A person who holds a valid study or work permit for Canada; • A person whose application for permanent residence in Canada was approved, and who received written notice of the approval before noon (EDT) on March 18, 2020 but has not yet become a permanent resident; • A person whose application for a **work permit** in Canada was approved, and who received written notice but has not yet been issued the permit; • A person whose application for a **study permit** in Canada was approved, and who received written notice of the approval before noon (EDT) on March 18, 2020 but has not yet been issued the permit; • Crew member; • Person who is authorized, in writing, by a consular officer of the Government of Canada to enter Canada for the purpose of reuniting immediate family members; • Accredited diplomat and their immediate family members, including representative from the United Nations and international organizations for which Canada is part of; • A French citizen who resides in St. Pierre and Miquelon (SPM) who has only been in SPM, the U.S. or Canada during the period of 14 days before the day on which they board; • A person or any person in class of persons who, in the opinion of the Chief Public Health Officer: ◦ does not pose a risk of significant harm to the public health, or ◦ will provide an essential service while in Canada; • Foreign national travelling at the invitation of the Minister of Health for the purpose of assisting in the COVID-19 response; • Person who arrives by means of an aircraft operated by the Canadian Forces or the Department of National Defence; • Member of the Canadian military, visiting forces, and their immediate family members; • Person whose presence in Canada, in the opinion of the Minister of Foreign Affairs, Immigration, or Public Safety, is in the national interest; • A student in a health field, including as a medical elective or clinical clerk at a medical teaching institution in Canada, for the primary purpose of acquiring training, if they have written approval from the body that regulates that field; • A provider of emergency services, including medical services, for the protection or preservation of life or property; • A licensed health care professional with proof of employment in Canada; • A person who seeks to enter Canada for the purpose of delivering, maintaining, or repairing medically-necessary equipment or devices;	**Which order applies?** • **Order 8 applies.** **What are travellers obligations once they enter Canada?** **Travellers must:** • Isolate themselves, by order of law, without delay in accordance with instructions provided by a Border Services Officers, screening officer, or a quarantine officer and remain in isolation until the expiry of the 14-day period that begins on the day they enter Canada; and • Monitor for signs and symptoms of COVID-19 until the expiry of the 14-day period, and if they develop any signs or symptoms of COVID-19, follow instructions provided by the public health authority specified by a screening officer or quarantine officer (i.e. report their signs and symptoms to local health officials). **Are there exceptions to these obligations? Yes.** • Crew members; • Foreign national travelling at the invitation of the Government of Canada for the purpose of assisting in the COVID-19 response or whose entry would be in the national interest; • Member of the Canadian military or visiting forces; • Person or any person in class of persons who, in the opinion of the Chief Public Health Officer does not pose a risk of significant harm to the public health, or will provide an essential service while in Canada, including: ◦ Persons making necessary medical deliveries during or within a reasonable period of time of the duration of the Order or within reasonable time after that, of cells, blood and blood products, tissues, organs, or other similar lifesaving human body parts, that are required for patient care in Canada; ◦ Asymptomatic persons in the trade and transportation sector who are important for the movement of goods and people, including truck drivers and crew on any plane, train or marine vessel, and that cross the border while performing their duties or for the purpose of performing their duties; ◦ Asymptomatic persons who have to cross the border regularly to go to work, including in the health care sector or critical infrastructure workers for the purpose of performing their duties; and

• (7) Deny boarding if a traveller (who is a competent adult) refuses to answer question if they have the symptoms outlined in question 1 and if they have been denied boarding in the past 14 days (questions 2). **<u>Are there additional obligations?</u>** **Yes, airlines must:** • Not board a person who either reported or exhibited a fever and a cough, or a fever and breathing difficulties, during their original boarding (if 14 days have not passed since) unless the person has a medical certificate stating that the symptoms are **<u>NOT</u>** related to COVID-19.		• A person who seeks to enter Canada for the purpose of making medical deliveries of cells, blood and blood products, tissues, organs or other body parts, that are required for patient care in Canada during or within a reasonable period of time after the expiry of the Order; • A worker in the marine transportation sector who is essential for the movement of goods by vessel, and who seeks to enter Canada for the purpose of performing their duties in that sector. **<u>Is anyone completely exempt from this order?</u> Yes.** • Anyone registered as an Indian under the Indian Act; and • Protected Person presenting a Refugee travel document issued by Canada **<u>When does Order 7 end?</u>** • June 30, 2020.	o Asymptomatic persons who have to cross the border to provide or receive essential services, including emergency responders and personnel providing essential services to Canadians related to the COVID-19 outbreak. • Person whose presence in Canada, in the opinion of the Minister of Foreign Affairs, Immigration, or Public Safety, is in the national interest; • A provider of emergency services, including medical services, for the protection or preservation of life or property; • A person who enters Canada for the purposes of providing medical care or transporting essential medical equipment, supplies, or means of treatment; or • A person who enters Canada for the purpose of receiving essential medical services or treatment, **<u>OTHER</u>** than services or treatments related to COVID-19. ***Please note that CBSA Liaison Officers should also advise airlines and travellers that people coming to Canada should also be mindful of provincial border closures as this could impact their full return home.

Travel from the United States to Canada			
Pre-boarding obligations?	Are travellers allowed to transit through Canada?	Which travellers are allowed to come to Canada?	What are travellers obligations once they enter Canada?
Which order applies? • **Interim Order 3 applies. Sections 5 to 8.** **What are the obligations?** **Foreign nationals must:** • Confirm to the airline that have read Order 9 and certify, to the best of their ability, that they are eligible to travel to Canada; and • Not provide a confirmation under false or misleading pretenses. **Airlines must:** • Notify every foreign national that they may be denied entry to Canada if they are not exempt under Order 9; • Not board a foreign national, who is a competent adult, on a flight to Canada if they do not provide confirmation that they are eligible to come to Canada; • Conduct, at the boarding gate, a health check of every person prior to boarding; and • Not board an individual who is exhibiting the following symptoms: a fever and a cough; or a fever and difficulty breathing.	**Which order applies?** • **Interim Order 3 applies.** **Are travellers allowed to transit through Canada?** • Yes, as long as the foreign national is not showing symptoms of COVID-19 (a fever and a cough; or a fever and difficulty breathing), AND DOES NOT REQUIRE TO CLEAR CBSA CUSTOMS, they are allowed to transit from international-to-international in Canada. ○ Traveller must remain in secure international transit zone/area, which implies no transfers between airports. The traveler must be booked and confirmed on an onward international flight (including luggage checked through to final destination)***NO overnight transit in YYZ***	**Which order applies?** • **Order 9 applies.** **Who is banned from coming to Canada under Order 9?** • Order 9 bans entry by all foreign nationals travelling (all modes) from the US to Canada who: ○ Exhibit signs or symptoms of COVID-19, either a fever and a cough, or a fever and breathing difficulties; ○ Seek to enter for non-essential purposes including tourism, recreation or entertainment. ○ Seek to enter, unless for an essential reason, is prohibited from entering Canada if they have been outside Canada and the United States during the period of 14 days before the day on which they seek to enter Canada; or ○ Seek to enter Canada for the purpose of claiming refugee status. **Are there exceptions to Order 9? Yes. Exceptions to this ban are:** • Immediate family member of Canadian citizens and permanent residents; • A person who holds a valid study or work permit for Canada; • A person whose application for permanent residence in Canada was approved, and who received written notice of the approval before noon (EDT) on March 18, 2020 but has not yet become a permanent resident; and • A person whose application for a **work permit** in Canada was approved, and who received written notice but has not yet been issued the permit; • A person whose application for a **study permit** in Canada was approved, and who received written notice of the approval before noon (EDT) on March 18, 2020 but has not yet been issued the permit; • Crew member; • Person who is authorized, in writing, by a consular officer of the Government of Canada to enter Canada for the purpose of reuniting immediate family members; • Accredited diplomat and their immediate family members, including representative from the United Nations and international organizations for which Canada is part of; • A French citizen who resides in St. Pierre and Miquelon (SPM) who has only been in SPM, the U.S. or Canada during the period of 14 days before the day on which they board; • A person or any person in class of persons who, in the opinion of the Chief Public Health Officer: • does not pose a risk of significant harm to the public health, or • will provide an essential service while in Canada; • Foreign national travelling at the invitation of the Minister of Health for the purpose of assisting in the COVID-19 response; • Person who arrives by means of an aircraft operated by the Canadian Forces or the Department of National Defence; • Member of the Canadian military, visiting forces, and their immediate family members; • Person whose presence in Canada, in the opinion of the Minister of Foreign Affairs, Immigration, or Public Safety, is in the national interest; • a student in a health field, including as a medical elective or clinical clerk at a medical teaching institution in Canada, for the primary purpose of acquiring training, if they have written approval from the body that regulates that field; • A provider of emergency services, including medical services, for the protection or preservation of life or property;	**Which order applies?** • **Order 8 applies.** **What are travellers obligations once they enter Canada?** **Travellers must:** • Isolate themselves, by order of law, without delay in accordance with instructions provided by a BSO, screening officer, or a quarantine officer and remain in isolation until the expiry of the 14-day period that begins on the day they enter Canada; and • Monitor for signs and symptoms of COVID-19 until the expiry of the 14-day period, and if they develop any signs or symptoms of COVID-19, follow instructions provided by the public health authority specified by a screening officer or quarantine officer (i.e. report their signs and symptoms to local health officials). **Are there exceptions to these obligations? Yes.** • Crew members; • Foreign national travelling at the invitation of the GoC for the purpose of assisting in the COVID-19 response or whose entry would be in the national interest; • Member of the Canadian military or visiting forces; • Person or any person in class of persons who, in the opinion of the Chief Public Health Officer does not pose a risk of significant harm to the public health, or will provide an essential service while in Canada, including: ○ Persons making necessary medical deliveries during or within a reasonable period of time of the duration of the Order or within reasonable time after that, of cells, blood and blood products, tissues, organs, or other similar lifesaving human body parts, that are required for patient care in Canada; ○ Asymptomatic persons in the trade and transportation sector who are important for the movement of goods and people, including truck drivers and crew on any plane, train or marine vessel, and that cross the border while performing their duties or for the purpose of performing their duties; ○ Asymptomatic persons who have to cross the border regularly to go to work, including in the health care sector or critical infrastructure workers for the purpose of performing their duties; and

		• A licensed health care professional with proof of employment in Canada; • A person who seeks to enter Canada for the purpose of delivering, maintaining, or repairing medically-necessary equipment or devices; • a person who seeks to enter Canada for the purpose of making medical deliveries of cells, blood and blood products, tissues, organs or other body parts, that are required for patient care in Canada during or within a reasonable period of time after the expiry of the Order; • A worker in the marine transportation sector who is essential for the movement of goods by vessel, and who seeks to enter Canada for the purpose of performing their duties in that sector. **<u>Under Order 9, what happens if a foreign national arrives at the border to make a refugee claim?</u>** • **<u>If the foreign national is coming from the US</u>** to make their claim in Canada, they will be **DIRECTED BACK** to the US and will be allowed to remain in the US for the duration of the Order 9 travel ban. They will be directed to check a web site which will instruct them on when the prohibition has been lifted and they may return to Canada to make their claim. **<u>Are there exceptions to this ban on refugee claims?</u>** Yes, they are as follows: • US nationals can make a refugee claim **<u>IF</u>** claiming persecution by the US; • Parents or legal guardians of any US nationals under the age of 18 can make a refugee claim; and • Anyone who meets the following **<u>three</u>** criteria can make a refugee claim: ○ They are under the age of 18 and are not accompanied by a parent or legal guardian; ○ They have no spouse or common-law partner; and ○ They have no parents or legal guardian. **<u>Further to refugee claim exemption 2, can a foreign national who is not a US national, but does have a minor child that is a US national, be permitted to enter Canada to make a refugee claim?</u>** • Yes. For example, a Mexican mother of a 15-year-old US national **<u>CAN</u>** enter Canada to claim refugee status. **<u>Is anyone completely exempt from this order?</u> Yes.** • Anyone registered as an Indian under the Indian Act; • Person or any person in class of persons who, in the opinion of the Chief Public Health Officer does not pose a risk of significant harm to the public health; and • Protected Person presenting a Convention Refugee travel document. **<u>When does Order 9 end?</u>** • April 21, 2020.	○ Asymptomatic persons who have to cross the border to provide or receive essential services, including emergency responders and personnel providing essential services to Canadians related to the COVID-19 outbreak. • Person whose presence in Canada, in the opinion of the Minister of Foreign Affairs, Immigration, or Public Safety, is in the national interest; • A provider of emergency services, including medical services, for the protection or preservation of life or property; • A person who enters Canada for the purposes of providing medical care or transporting essential medical equipment, supplies, or means of treatment; or • A person who enters Canada for the purpose of receiving essential medical services or treatment, **<u>OTHER</u>** than services or treatments related to COVID-19. ***Please note that LOs should also advise airlines and travellers that people coming to Canada should also be mindful of provincial border closures as this could impact their full return home.

Air Carrier Reference Matrix (March 27th 2020)

Minimizing the Risk of Exposure to COVID-19 in Canada Orders

Travel to Canada from all countries

To be allowed to travel to Canada, foreign nationals must not exhibit symptoms of Covid19 (fever and cough or fever and difficulty breathing) and must not come to Canada for non-essential purposes including tourism, recreation or entertainment.

Passenger ⇩	Travel To Canada
Canadian Citizen or Permanent Resident	Allowed to board, as long as they are not showing symptoms of COVID-19
Immigrant (Confirmation of permanent residence issued before 18 March 2020)	Exempted from travel ban; OK to board
Foreign National with a valid work permit	Exempted from travel ban; OK to board
Foreign National with a valid study permit	Exempted from travel ban; OK to board
Foreign National approved to obtain a work permit (Has approval letter)	Exempted from travel ban; OK to board
Foreign National approved to study (Approval letter dated before 18 March 2020)	Exempted from travel ban; OK to board
Foreign National who meets the definition of an immediate family member (as defined below) of a Canadian Citizen or Permanent Resident	Exempted from travel ban; OK to board
Accredited diplomats and their immediate family members	Exempted from travel ban; OK to board
Foreign National (With a consular authorization letter from a consular official of Canada)	Exempted from travel ban; OK to board
Member of the Canadian Military, Visiting Forces and their immediate family members	Exempted from travel ban; OK to board
Foreign National who is not eligible for any other exemption	Do not board
Special cases as defined in the order	Refer to order / written direction

Immediate family member is defined as: (a) the spouse or common-law partner of the person; (b) a dependent child of the person or of the person's spouse or common-law partner; (c) a dependent child of a dependent child referred to in paragraph (b); (d) the parent or step-parent of the person or of the person's spouse or common-law partner; or (e) the guardian or tutor of the person.

Transit - International to International Only - passenger must have a confirmed onward flight to an international destination, his luggage must be checked trough to final destination, he must remain within the international transit zone. NO OVERNIGHT STAY POSSIBLE in TORONTO YYZ. - Transits are not permitted in cases where the passenger intends on leaving the airport, spending a night in a hotel or at the airport, or driving to the United States.

Note 1: This document serves as a quick reference document and should not be used to interpret any Government of Canada order in council or law. Air carriers are reminded to refer to legal references (Orders in Council) to verify and confirm information provided in this matrix.

Note 2: Air carriers are reminded that all transporter obligations remain in effect (eTA, visa, genuine and valid documents)

Health Caveat: Any passenger falling within an exemption scenario, as outlined above, must: 1. Be asymptomatic *(Not showing any symptoms of COVID-19) 2.* Not have been refused carriage for medical reasons, pertaining to COVID-19 in the last 14 days 3. Not refuse to answer medical questions

If you have any case-specific questions please contact your local CBSA Liaison Officer





BULLETIN OPÉRATIONNEL : OBO-2020-XXX

TITRE : Intervention en lien avec la COVID-19 : Traitement des demandes d'asile à un point d'entrée terrestre ou ferroviaire désigné

Date d'émission : 21 avril 2020	**Modes :** Terrestre et ferroviaire	**Public cible :** Tous les agents qui administrent et appliquent la *LIPR*	**Domaine d'intérêt :** National

Détails :

Les présentes instructions visent expressément les ressortissants étrangers qui présentent une demande d'asile à un point d'entrée (PDE) terrestre ou ferroviaire désigné. L'Entente entre le gouvernement du Canada et le gouvernement des États-Unis d'Amérique pour la coopération en matière d'examen des demandes d'asile présentées par des ressortissants de pays tiers (connu sous le nom d'Entente sur les tiers pays sûrs [ETPS]) continue de s'appliquer aux points d'entrée terrestres et ferroviaires pour les ressortissants étrangers qui cherchent à entrer au Canada pour y présenter une demande d'asile. Cette Entente s'applique, que le ressortissant étranger présente ou non des symptômes en lien avec la COVID-19.

Remarque : on continue généralement d'interdire l'entrée aux ressortissants étrangers qui cherchent à entrer par voie terrestre dans un lieu autre qu'un point d'entrée officiel, ou par voie aérienne ou maritime. Pour de plus amples informations et des instructions sur le traitement des arrivées selon ces trois modes, veuillez-vous référer au bulletin opérationnel: **Intervention en lien avec la COVID-19 – Ressortissants étrangers en provenance des États-Unis qui présentent une demande d'asile aux aéroports, aux ports maritimes et entre les points d'entrée**

Renseignements généraux

Ce décret (familièrement appelé OIC-11), intitulé Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance loi des États-Unis) – 3, est pris en vertu de l'article 58 de la *Loi sur la mise en quarantaine*.

Ce décret en conseil est en vigueur pour la période commençant le 22 avril 2020 (00h01) et se terminant le 21 mai 2020.



Le décret abroge et remplace le décret C.P 2020 – 0185 intitulé Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance loi des États-Unis) (appelé OIC-9), qui est entré en vigueur le 26 mars 2020.

L'OIC 11 crée des exceptions à l'interdiction générale d'entrer au Canada dans le but de présenter une demande d'asile. Plus précisément, le nouveau décret prévoit qu'il est interdit à un ressortissant étranger d'entrer au Canada dans le but de présenter une demande d'asile, sauf si le ressortissant étranger :

- cherche à entrer au Canada à un point d'entrée terrestre et ferroviaire désigné par le ministre de la Sécurité publique et de la Protection civile en vertu de l'article 26 du *Règlement sur l'immigration et la protection des réfugiés*;
    - est une personne visée par l'article 159.2, 159.5 ou 159.6 du *Règlement sur l'immigration et la protection des réfugiés*;
    - est un citoyen des États-Unis;
- cherche à entrer au Canada autrement qu'à un point d'entrée terrestre ou ferroviaire et est une personne qui est un citoyen des États-Unis, un apatride résidant habituellement aux États-Unis ou un mineur non accompagné et non marié sans parent ni tuteur légal aux États-Unis ;
- est une personne dont la présence au Canada est déterminée par le ministre de la Sécurité publique et de la Protection civile ou le ministre de la Citoyenneté et de l'Immigration comme étant dans l'intérêt national ou public, tout en reconnaissant les intérêts primordiaux du Canada et de sa population en matière de santé publique. ***(Ne s'applique pas actuellement aux points d'entrée terrestres et ferroviaires)***

Mesures requises par les agents et les délégués du ministre (DM) qui administrent et appliquent la *LIPR*

Les demandes d'asile seront soumises à la procédure de réception suivante :

1. Déterminez si le ressortissant étranger est symptomatique ou asymptomatique selon les instructions suivantes :
    - COVID-19 – Mesures frontalières renforcées à l'appui de la quarantaine obligatoire (voyageurs asymptomatiques) et de l'isolement obligatoire (voyageurs symptomatiques) (tous les modes de transport)
2. Effectuez un second contrôle :
    - déterminez si le ressortissant étranger répond à une exemption du décret et s'il est autorisé à présenter une demande;



- effectuez des recherches dans tous les systèmes applicables selon les procédures existantes;
- Présenter une demande d'asile dans le SMGC;
- recueillez les données biométriques;
- effectuez une évaluation préliminaire des risques afin d'évaluer l'éligibilité et, une fois l'évaluation effectuée, les options seront les suivantes :

Demande évaluée – Cas présentant un faible risque :

i. Le traitement des demandes d'entrée de ressortissant étranger en provenance des États-Unis qui présentent une demande d'asile, qui sont jugées « à faible risque » et qui semblent satisfaire à une exemption ou à une exception en vertu de l'ETPS.
ii. Une fois le processus d'accusé de réception de la demande terminé, le demandeur est autorisé à entrer pour un examen complémentaire afin de terminer le traitement de la demande d'asile (BSF536).

Demande évaluée – Cas présentant un risque élevé/complexe :

i. Achèvement par l'ASFC au PDE ou à un autre emplacement de l'ASFC une fois le processus d'accusé de réception de la demande terminé, en tenant compte des conditions appropriées pour assurer la conformité.
ii. Les considérations relatives à l'arrestation et à la détention (A55) doivent être prises en compte à l'aide du document Temporary Measures to Guide Decisions to Detain and Consideration of Alternatives to Detention.

Remarque : les agents des PDE sont responsables de la reprise du traitement des demandes conformément aux procédures et modèles de traitement régionaux. Si un demandeur demande que sa demande soit traitée dans un autre bureau de l'ASFC, il incombe à l'agent du PDE initial de coordonner la reprise du traitement avec le bureau de traitement préféré du demandeur.

Si un agent du PDE décide de terminer le processus de demande du réfugié au moment de leur arrivée, tous les protocoles visant à garantir la santé et la sécurité des agents et des demandeurs doivent être respectés.



Pour les demandes jugées irrecevables, une mesure de renvoi sera prise comme suit :

i. **101 (1)e) ETPS :** immédiatement;

ii. **Autres motifs d'inéligibilité – non lié à l'ETPS :** sept (7) jours;

iii. **101 (1)c.1) :** sept (7) jours avec un ERAR accéléré dans les 30 jours par IRCC;

iv. **101 (1)d) :** sept (7) jours avec une évaluation accélérée des risques pour le *non-refoulement* dans les 30 jours;

v. **cas 101 (1)f) :** suspendre l'éligibilité avant de renvoyer à la Section de la protection des réfugiés pour attendre La décision d'une enquête ou d'une procédure judiciaire pénale au Canada.

Remarque : Les demandes des ressortissants étrangers jugés non admissibles en vertu de l'ETPS doivent être retirées et les personnes doivent être renvoyées aux États-Unis immédiatement, conformément à l'article 48 (2) de la *LIPR*.

Procédures après le traitement de la demande

Les ressortissants étrangers qui sont autorisés à présenter une demande d'asile au Canada pendant que le décret est en vigueur sont soumis aux mêmes exigences que tous les autres voyageurs, comme le décrit le décret 10 (OIC 10). Les agents sont tenus de suivre le processus décrit dans le lien suivant :

COVID-19 – Mesures frontalières renforcées à l'appui de la quarantaine obligatoire (voyageurs asymptomatiques) et de l'isolement obligatoire (voyageurs symptomatiques) (tous les modes de transport)

Transfert aux organismes destinataires

Une fois le traitement au point d'entrée terminé, si une personne a besoin de transport et d'hébergement, on doit contacter les employés des services suivants selon que la personne est asymptomatique ou symptomatique.

Voyageurs asymptomatiques - Immigration, Réfugiés et Citoyenneté Canada

Kathryn Jarrett-Ekholm
613-769-5105

Voyageurs symptomatiques - Agence de la santé publique du Canada

Ligne centrale de notification de l'ASPC
1-833-615-2384
phac.cns-snc.aspc@canada.ca



Processus de notification

Les agents des PDE doivent informer le Service de gestion des cas de l'ASFC de tous les ressortissants étrangers qui sont renvoyés aux États-Unis ou qui sont autorisés à entrer au Canada car ils répondent à une exception en vertu de la loi sur la quarantaine et de décret. Les responsables de la gestion des cas peuvent être avisés par courriel (Case-Management@cbsa-asfc.gc.ca) en indiquant l'objet suivant : « Intervention en lien avec la COVID-19 : — demandeur d'asile UCI : 11-XXXX-XXXX ». Le message doit également indiquer si les coordonnées actuelles (numéro de téléphone et adresse électronique) de chaque demandeur d'asile se trouvent dans leur dossier.

Ce qui précède s'ajoute aux processus de notification régionaux établis.

Personne accusée ou reconnue coupable d'une infraction passible de la peine de mort

Les PDE doivent informer le Centre des Opérations Frontalières immédiatement et avant toute décision ou action prise à l'égard d'un étranger qui a été accusé ou reconnu coupable d'une infraction passible de la peine de mort, aux États-Unis ou dans un autre pays. La charge de la preuve incombe au demandeur d'asile qui doit prouver qu'il serait soumis à la peine de mort.

Gestion régionale

Les superviseurs et gestionnaires régionaux veilleront à ce que les instructions ci-dessus soient mises en œuvre immédiatement, et seront responsables des pratiques régionales exemplaires et de la conduite de l'assurance qualité.

Ressources

Pour obtenir des instructions supplémentaires sur l'évaluation des voyageurs asymptomatiques et symptomatiques, ainsi que des cas où aucune exception à l'interdiction ne s'applique, veuillez consulter l' l'OBO-2020-021 Modifications réglementaires pour la mise en œuvre des interdictions de voyager en réponse à la pandémie COVID-19 ou le bulletin d'information de quart de travail portant ce titre : COVID-19 – Mesures frontalières renforcées à l'appui de l'auto-isolement obligatoire (tous les modes).

Coordonnées des personnes-ressources



Toute question concernant ce bulletin doit être envoyée à l'adresse électronique suivante :

Agents des services frontaliers : Si vous avez des questions, veuillez les transmettre au bureau régional de la Division des services corporatifs et des programmes, qui (au besoin) enverra un courriel à la boîte de réception générique des Opérations liées aux voyageurs : **ops_travellers-voyageurs@cbsa-asfc.gc.ca.**

Approuvé par :

John Ommanney, directeur général
Direction générale des voyageurs

Christian Lorenz, directeur général
Direction générale du renseignement et de l'exécution de la loi

Date d'entrée en vigueur :	**Mise à jour :**

Autres bulletins :





FOR CBSA EYES ONLY

COVID-19 TRAVEL BAN FAQs
Guidance for Liaison Officers

This document is used to provide guidance to Liaison Officers related to Order 5 and 6.

Additional guidance will be provided on new Orders as they are signed by the appropriate authority.

ORDER 5 – Questions and Answers:

Order in Council # 5-Minimizing the Risk of Exposure to COVID-19 in Canada (Prohibition of Entry into Canada from the United States)

- Order 5 came into effect on March 20, 2020 at 00:01 am EDT.

O5 – Q1: Who will allowed to enter Canada as per Order 5?
O5 – A1: Order 5 ban applies to entry to Canada in **all modes** by all foreign nationals travelling from the United States (US) for any optional or discretionary reason (non-essential). This prohibition also applies to people entering Canada for the purpose of claiming refugee status and anyone displaying symptoms of COVID-19.

Exceptions to this ban are:
- Anyone registered as an Indian under the *Indian Act*;
- Anyone the Chief Public Health Officer deems of no risk to public health; and
- Anyone who has already been granted protected person status under IRPA.

*****Please note that foreign nationals can only enter Canada from the US if they have:** (1) essential business, (2) have been residing in the US or Canada in the past 14 days; **AND** (3) have no COVID-19 symptoms (I.e. a fever and cough, **OR** a fever and breathing difficulties).

O5 – Q2: How do I determine what is considered "non-essential" and essential travel?
O5 – A2: Non-essential travel is broadly defined as travel for the purposes of tourism, recreation and entertainment, but not limited to these specific examples.

Essential travel is defined, but is not limited to, travel for the purposes of: economic services and supply chains; critical infrastructure support; health (immediate medical care), safety and security; transiting through Canada for essential purposes; indigenous communities; cross-border employment; tending to



family matters for essential purposes; shopping for essential goods such as medication or basic needs, **AND** to work and study with appropriate documentation.

O5 – Q3: Under Order 5, what happens if a foreign national arrives at the border to make a refugee claim?
O5 – A3: If the foreign national is coming from the US to make their claim in Canada, they will be **DIRECTED BACK** to the US and will be allowed to remain in the US for the duration of the Order 5 travel ban. They will be directed to check a web site which will instruct them on when the prohibition has been lifted and they may return to Canada to make their claim.

Are there exceptions to this ban on refugee claims? Yes, they are as follows:

1) US nationals can make a refugee claim **IF** claiming persecution by the US;
2) Parents or legal guardians of any US nationals under the age of 18 can make a refugee claim; and
3) Anyone who meets the following **three** criteria can make a refugee claim:
   - They are under the age of 18 and are not accompanied by a parent or legal guardian;
   - They have no spouse or common-law partner; and
   - They have no parents or legal guardian.

O5 – Q3B: Further to refugee claim exemption 2 (See Q3), can a foreign national who is not a US national, but does have a minor child that is a US national, be permitted to enter Canada to make a refugee claim?
O5 – A3B: Yes. For example, a Mexican mother of a 15-year-old US national **CAN** enter Canada to claim refugee status.

ORDER 6 – Questions and Answers:

#6-Interim Order to Prevent Certain Person from Boarding Flights to Canada due to COVID-19, No. 2

- Order 6 comes into effect March 22, 2020 as signed until June 30.

O6 – Q1: Does Order 6 repeal Order 4 or Order 5?
O6 – A1: Order 6 replaces Order 4 but **NOT** Order 5. However note that, Order 5 **and** Order 6 must apply **concurrently**.

When applying Order 5 and 6, you must be mindful of country of departure as different rules apply.

If travelling from the US (Order 5), they must travelling for essential reasons **(as defined in Q2 of the Order 5 section)** and not be exhibiting COVID-19 related symptoms.

If travelling from any other country in the world, please administer the following exemptions:

O6 – Q2: Are there exceptions to Order 6 prohibiting foreign nationals from entering Canada?
O6 – Q2: Yes, they are as follows:

A. Foreign national, including United States (US) citizens, who have been in the U.S. and Canada for more than 14 days (**as per Order 5**);
B. Immediate family member of Canadian citizens and permanent residents;
C. Person registered as an Indian under the *Indian Act*;
D. Person who is authorized, in writing, by a consular officer of the Government of Canada to enter Canada for the purpose of reuniting immediate family members;
E. Crew member;
F. Accredited diplomat and their immediate family members, including representative from the United Nations and international organizations for which Canada is part of;
G. Foreign national travelling at the invitation of the Canadian government for the purpose of assisting in the COVID-19 response or whose entry would be in the national interest;
H. Person who arrives by means of an aircraft operated by the Canadian Forces or the Department of National Defence;
I. Member of the Canadian military, visiting forces, and their family members;
J. Protected Person presenting a Convention Refugee travel document;
K. A French citizen who resides in St. Pierre and Miquelon (SPM) who has only been in SPM, the U.S. or Canada during the period of 14 days before the day on which they board;
L. Person or any person in class of persons who, in the opinion of the Chief Public Health Officer does not pose a risk of significant harm to the public health, or will provide an essential service while in Canada; and,
M. Transiting passengers through Canada to another country.
    - __**Please note**__, transiting passengers will be subject to any travel bans and restrictions the third country has in place.

*****Please note that foreign nationals who's exemption stems from section (A), (E), (F), (K) or (L) can __only__ enter Canada if they have:** (1) essential business, __**AND**__ (2) have no COVID-19 symptoms (I.e. a fever and cough, __**OR**__ a fever and breathing difficulties).

O6 – Q2B: How do I determine what is considered "non-essential" and essential travel?
O6 – A2B: Non-essential travel is defined as travel for the purposes of tourism, recreation and entertainment, but not limited to these specific examples.

Essential travel is defined, but is not limited to, travel for the purposes of: economic services and supply chains; critical infrastructure support; health (immediate medical care), safety and security; transiting through Canada for essential purposes; indigenous communities; cross-border employment; tending to family matters for essential purposes; and shopping for essential goods such as medication or basic needs, work and study.

O6 – Q3: Who is considered to be an immediate family member according to Order 6?
O6 – A3: To be considered an immediate family member you must be:

- (1) spouse/common-law partner of the person;
- (2) a dependent child of the person or of their spouse/common-law partner;
- (3) a dependent child of a dependent child of the person or their spouse/common-law partner;
- (4) a parent/step-parent of the person or of their spouse/common-law partner; or
- (5) the guardian/tutor of a person.

O6 – Q3B: Will immediate family members not already in possession of a Temporary Resident Visa be permitted to apply for one?
O6 – A3B: Yes, note that Immigration, Refugees and Citizenship Canada offices have limited operations but remain open.

O6 – Q3C: How extensively should Liaison Officers (LO) attempt to verify relationship?
O6 – A3C: In terms of verification, due diligence should be performed. If an LO is contacted by an air carrier for advice, and is satisfied of the relationship through passenger interview or any documentation presented (birth certificates, marriage certificates, bills, etc.), no further verification is needed. If there are any doubts or concerns, or there is no supporting documentation presented, GCMS checks could be conducted.

O6 – Q3D: What is the age cut-off for dependent children?
O6 – A3D: To be considered a dependent child (**OR** a dependent child of a dependent child), the child must be:

- 21 years old or younger and not have a spouse or common-law partner; or
- 22 years old or older, have been financially dependent on the parent(s) since before turning 22, and be physically and/or mentally unable to support him or herself financially.

O6 – Q3E: Does the Canadian citizen or PR need to be accompanying the immediate family member to be exempt?
O6 – A3E: No, immediate family members do not need to be accompanied by the Canadian or PR.

O6 – Q4: Are deadheading air crew and seafarers entering Canada to join a marine vessel as crew members included in the exemptions?
O6 – A4: Yes.

O6 – Q5: Does the ban apply to diplomats?
O6 – A5: Diplomats that have been issued an accreditation counterfoil by GAC are exempted. All others are subject to the travel ban.

GENERAL – Questions and Answers:

G – Q1: Are unaccompanied minors allowed to board?
G – A1: Yes, if they are exempted or if they hold a consular letter.

G – Q2: What recourse do people have if they have previously booked tickets and are no longer allowed to board flights to Canada?
G – A2: The LO should refer the passenger to the airline.

G – Q3: What role do CBSA LOs play in keeping non-citizens and non-exempted travellers from boarding flights to Canada?
G – A3: LOs operate in an advisory capacity to airlines and immigration partners on passenger documentation. They will work remotely with airlines and other partners responsible for document screening of Canada-bound travellers to ensure that passengers seeking to board a flight to Canada are properly documented. LOs will not be actively seeking out travellers who are not eligible to fly to Canada under the new ban. The final decision on whether to board a traveller rests with the airline. We expect LOs to actively monitor their business lines to support airlines as we transition to the new border measures.

G – Q4: Will LOs be identifying symptomatic passengers?
G – Q4: No. CBSA LOs are not medical professionals. Air operators will be required to do a basic health assessment of all air travellers before they board the flight based on guidance from the Public Health Agency of Canada. This would include the operator asking simple health questions, looking for visible signs of illness prior to boarding, and possibly referring the traveller for a further medical assessment.

In the event the traveller presents COVID-19 symptoms, the air carrier will be required to refuse to board the passenger for travel for a period of 14 days. Should the traveller still wish to board a flight to Canada after 14 days, they must demonstrate that they are non-symptomatic, or have a medical certificate that confirms the patient does not carry the virus.

G – Q5: Will LOs be expected to facilitate Canadians with no/expired documents?
G – A5: Operational Bulletin PRG-2013-26 will continue to apply regarding facilitation of Canadians. It will remain up to the LO's judgement whether to recommend to an airline that a person is properly documented. In simple terms, if an LO is satisfied that a traveller is a Canadian citizen, they should facilitate the traveller. The port of entry should be notified of the inbound travellers to avoid complications on arrival.

G – Q6: What role does the Air Carrier Support Centre (ACSC) play in enforcing the restrictions?
G – A6: The role of the ACSC remains a supportive one to airlines. ACSC officers are expected to familiarize themselves with the travels bans and with these Qs&As and to provide guidance to airlines on the application of the restrictions. Officers from the ACSC should only refer the airlines to LOs if they cannot answer a question with the information they have, or if more interpretation is needed.

G – Q7: Will CBSA LOs be working out of airports more than usual to assist airlines?
G – A7: Guidance from managers and local security programs should be sought and any local travel restrictions/telework advisories currently in place at mission should be respected. Additionally, LOs should refer to Government of Canada advisories and policies related to essential work.

G – Q8: How long will these restrictions be in place?
G – A8: These restrictions are subject to change, LOs will be advised accordingly.

G – Q9: Will the CBSA be issuing direct formal messaging to airlines?
G – A9: Transport Canada is the lead interlocutor for the Government of Canada with airlines. The CBSA may transmit formal messages via Transport Canada.

G – Q10: Is overtime (OT) approved for dealing with queries and cases relating to this regulation?
G – A10: OT will be approved as per collective agreements in place. Internal order (IO) number 724512 has been established for work relating to COVID-19. Please consult your manager for additional information.

G – Q11: Do we have lines for dealing with Consular and IRCC at mission?
G – A11: As Government of Canada partners, GAC and IRCC have lines already relating to these restrictions. Should CBSA Communications provide speaking lines, they will be transmitted to Liaison Officers.

G – Q12: Will this ban impact removals?
G – A12: Removals have been stopped. Note that the removal of serious criminal cases may continue but this would be via exception only, following a case-by-case assessment by senior staff. Clients who currently have removals scheduled should expect to hear from the CBSA in the coming days to confirm cancellation of removal and be advised of next steps. Those who wish to depart Canada voluntarily despite the current global pandemic, may do so.

G – Q13: Will PRs with expired or missing PR cards be allowed to travel?
G – A13: LOs should use their discretion and facilitate whenever possible. If an LO is satisfied that a traveller with an expired PR card or no PR card on hand is a *bona fide* PR, facilitation should be encouraged, especially if the expiry date is recent and after verifying the identity of the individual.

G – Q14. Can a letter from a hospital be accepted instead of a letter from a consular officer?
G – A14. No.

G – Q15: Are Transit Without Visa (TWOV) / China Transit Program (CTP) passengers exempted from the travel ban?
G – A15: Yes, however the following must be noted:
- The United States (US) has instituted travel bans on any non-US citizens or US PR travellers who have been in certain countries in the past 14 days.
- Any TWOV or CTP passengers attempting to transit Canada to the US who have been in any of the designated countries will not be allowed to continue on to the US.
- As with other transit passengers under the ban, they cannot leave the airport-their flights must be continuous.

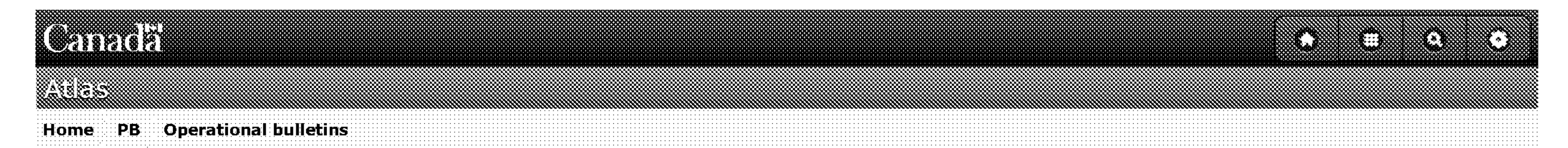
G – Q16: The Minister of Public Safety announced on March 18th that students and temporary workers are exempt from this ban. Is this the case?
G – A16: No, foreign student and temporary workers (including those holding valid SP and WP permits) should not be allowed to board unless they **also** meet the criteria of one of the exemptions previously listed.

Additionally, you should encourage students and temporary workers to monitor IRCC Government of Canada website to ensure they have the most up-to-date information of when they may be allowed to come to Canada for the purposes of studying and/or working as the situation is fluid.

G – Q17: Are foreign nationals in possession of a valid immigrant visa (landing papers), who are seeking to become a permanent resident in Canada, allowed to board a flight to Canada?
G – A17: at this time, foreign nationals in possession of a valid immigrant visa/landing papers are not allowed to board unless they also meet the criteria of one of the exemptions above.

Additionally, you should encourage students and temporary workers to monitor IRCC Government of Canada website to ensure they have the most up-to-date information of when they may be allowed to come to Canada for the purposes of studying and/or working as the situation is fluid.

G – Q18: Are all transiting passengers allowed to board?
G – A18: No, only direct transiting passengers should be allowed to board (i.e. passengers whose transit allows them to remain in the same airport). Terminal to terminal transfer is allowed.



Operational bulletin: OBO-2020-032

Printable version (PDF, 525 KB)

Title: COVID-19 Response: Foreign Nationals arriving from the United States who make a claim for refugee protection at airports, marine ports and between ports of entry

Date of issue:	Mode(s):	Target audience:	Area of interest:
2020-04-22	All	All officers administering and enforcing IRPA	National

Details

These instructions are specific to direct back authorities for foreign nationals arriving from the United States who make a claim for refugee protection at designated air and marine ports of entry and for those who enter Canada between ports of entry.

The new Order in Council (colloquially referred to as OIC-12), entitled Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the United States), has been made pursuant to section 58 of the *Quarantine Act*.

This Order in Council has effect for the period beginning on May 22, 2020 (00:01) and ending on June 21, 2020.

The Order repeals and replaces the Order in Council P.C. 2020-263 (OIC11).

This new Order in Council (OIC12) replicates the same provisions listed in OIC11 in regards to who can make a claim for refugee protection.

Background

In order to enhance the authority of the Minister of Public Safety and Emergency Preparedness to respond to emergency situations that temporarily impact the border, a new provision for direct back under paragraph 41(d) of the IRPR has been enacted. This amendment enables an officer to direct back a foreign national prohibited pursuant to an emergency order or regulation made under the *Quarantine Act* or the *Emergencies Act*.

OIC 12 creates exceptions to the general prohibition on entering Canada for the purpose of making a claim for refugee protection. More specifically, the new OIC provides that a foreign national is prohibited from entering Canada for the purpose of making a claim for refugee protection unless the foreign national:

- seeks to enter Canada at a land and rail port of entry designated by the Minister of Public Safety and Emergency Preparedness under section 26 of the Immigration and Refugee Protection Regulations; and
    - is a person referred to in section 159.2, 159.5 or 159.6 of the Immigration and Refugee Protection Regulations; or
    - is a citizen of the United States;
- seeks to enter Canada other than at a land or rail port of entry and is a person who is a citizen of the United States, a stateless habitual resident of the United States or an unaccompanied, unmarried minor without a parent or legal guardian in the US; or
- is a person whose presence in Canada is determined by the Minister of Public Safety and Emergency Preparedness or the Minister of Citizenship and Immigration to be in the national or public interest, while recognizing the paramount public health interests of Canada and Canadians.
    - More specifically, the Ministers exempt the following persons from the application of the OIC:
    - Foreign Nationals who make a claim for refugee protection at an air or marine port of entry and cannot be immediately directed back to the U.S..
    - Foreign Nationals who may be subject to the death penalty in any country.

Please refer to the notification process below for further case processing instructions.

Actions required by officers and Minister's Delegates (MDs) administering and enforcing the IRPA

For all direct backs of foreign nationals making a claim for refugee protection at a designated POE (air or marine mode) or in-between the POEs, officers will be responsible to initiate and complete the following:

- Conduct queries in all applicable systems per existing procedures;
- **Exam and Ref-Clm creation for quick intake** in the Global Case Management System (GCMS);
- Collection of biometrics;
- **BSF 505: Direction to Return to USA** and the officer will select "You are prohibited from entering Canada by an order or regulation made by the Governor in Council under the *Emergencies Act* or the *Quarantine Act*" on the form.
- Update the **direct back screen** in GCMS selecting the option "R41(d) – Emerg/Quarant Act" ;
- **Notice to Transporter (BSF 502)**, as applicable;
- Notification of the direct-back to the USCBP using established local procedures;
- Detailed notes in the examination tab of GCMS; notes must indicate the POE or irregular crossing of arrival. This will allow the officers responsible for the resumption of processing to understand what method of processing applies. Ports of Entry must maintain a list of all direct backs; the list should reflect the information in the Direct Back screen in GCMS and include the UCI, client's status in the U.S., name(s) and current contact information (telephone number and/or email address) for each claimant.

Exception: A direct back should not be issued to FNs who are symptomatic and who arrive from the U.S. via commercial or public conveyance (air or marine mode). Those individuals should be directed to isolate and/or referred to PHAC (depending on the severity of their symptoms and whether there are concerns about their ability to isolate themselves). This does not apply to FNs who arrive from the U.S. in a personal conveyance (i.e., would not pose a risk to other travellers): they can be directed back to the U.S.

Foreign Nationals who are able to enter to make a refugee claim as per subsection 5(1) or 5(2) of the OIC, can enter even if they are symptomatic and will need to be referred to the PHAC Quarantine officers regardless of mode or location of entry.

Claims for refugee protection will be subject to the following intake process

1. Determine if the foreign national is symptomatic or asymptomatic as per the following instructions:

- **COVID-19: Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)**

2. Perform secondary examination

- Determine if they meet an exemption to the OIC and are permitted to make a claim;
- Conduct queries in all applicable systems per existing procedures;
- **Initiate Refugee Claim in GCMS**;
- Collect **biometrics**;
- Conduct a **Preliminary Risk Assessment** in order to assess eligibility and once the eligibility assessment is made the following outcomes will occur:

Claim assessed: Low risk case

i. The processing of FNs seeking entry from the U.S. who make a claim for refugee protection and are assessed to be 'low risk' and appear to meet an exemption or exception to the STCA.
ii. Once the **acknowledgement of claim process** is completed, the claimant is permitted entry for further examination to complete the refugee intake processing (**BSF536**).

Claim assessed: High risk/complex case

i. Completion by CBSA at the POE or other CBSA location once the **acknowledgement of claim process** is completed in consideration of appropriate conditions to ensure compliance;
ii. Arrest and/or detention (A55) considerations are to be made using the **Temporary Measures to Guide Decisions to Detain and Consideration of Alternatives to Detention**.

Note: POE's are responsible for the resumption of claim processing as per regional procedures/processing models. Should a claimant request processing at another CBSA location, it is the responsibility of the initial POE to coordinate the resumption of processing with the claimants preferred processing location.

Should a POE decide to complete the refugee intake process at the time of arrival, all protocols to ensure the health and safety of officers and claimants must followed.

For claims assessed to be ineligible, removal orders will come into force as follows:

i. **101(1)(e) STCA:** immediately [U.S. Removal: Air Mode R159.4(2)];
ii. **Other grounds of ineligibility: non-STCA:** seven (7) days;
iii. **101(1)(c.1):** seven (7) days with an expedited PRRA within 30 days by IRCC;
iv. **101(1)(d):** seven (7) days with an expedited risk assessment for *non-refoulement* within 30 days; and
v. **101(1)(f) cases:** suspend eligibility before referral to Refugee Protection Division to wait the outcome of an admissibility hearing or criminal court proceeding in Canada.

Note: Foreign Nationals determined ineligible under the STCA shall be ordered removed and returned to the U.S. immediately as per ss.48(2) of *IRPA*.

Post claim processing procedures

Foreign Nationals who are permitted to make a claim for refugee protection in Canada while the OIC is in effect are subject to the same requirements as all other travellers as described in OIC 12. Officers are required to follow the process as described at the following link:

COVID-19: Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)

Transfer to receiving organizations

Upon completion of port of entry processing, should an individual require transportation and/or accommodations the following departments should be contacted based on whether the individual(s) are asymptomatic or symptomatic.

Asymptomatic travellers: Immigration, Refugees and Citizenship Canada

Geographic area	Contact name	Contact information (07:00 – 21:00)
Windsor & area	Jessica Molloy	343-571-1340
Lacolle & area	Judith Joseph	613-291-6997
Lethbridge & area	Susan Sunde	613-790-9484

Winnipeg & area	Charlotte Theriault	204-510-4716
Surrey & area	Angela Lu	236-330-1231
Niagara Falls & area	Jason Molloy	343-571-1338
All other areas or general inquiries	IRCC Asylum CMT	**ircc.asylumcmt-egcdasile.ircc@cic.gc.ca**
After Hours Contact (21:00 – 07:00)	**Kathryn Jarrett-Ekholm**	**613-769-5105**

Symptomatic travellers: Public Health Agency of Canada

PHAC Central Notification System
1-833-615-2384
phac.cns-snc.aspc@canada.ca

Notification process

POEs are to notify CBSA Case Management of all foreign nationals who have made a claim for refugee protection including all those directed back or who qualify for an exception (STCA or under the *Quarantine Act* and the OIC). Case Management can be notified via email (**case-management@cbsa-asfc.gc.ca**) with the following subject line: "COVID-19 Response – asylum claimant UCI:11-XXXX-XXXX". The email should also indicate whether the claimants current contact information (telephone number, address and/or email address) is on file for each claimant.

The above is in addition to any established regional notification processes.

Person(s) charged or convicted of an offence that is punishable by the death penalty

POEs must notify the Border Operations Centre **boc-cof@cbsa-asfc.gc.ca** immediately and prior to any decision or action is taken on a foreign national who has been charged with or convicted of an offence that is punishable by the death penalty, in the US or another country. The burden of proof is on the claimant to prove that they would be subject to the death penalty.

Return date for the direct back

Under general circumstances, direct backs normally include a specific date and time for the foreign national to return to the POE for further processing. For the duration of COVID-19 response, officers are required to provide the **Asylum handout COVID19** to all foreign nationals seeking refugee protection who are

directed back. Officers will instruct all refugee claimants directed back to refer to the **CBSA website** for up to date information on when they should return to Canada. It is important that refugee claimants directed back are clearly counselled that this does not mean that their refugee claim will not be heard but rather that it is only delayed until such time as the OIC is lifted. Once the OIC has been lifted, arrangements will be made for the resumption of the refugee claim examination.

For greater clarity, these regulatory amendments do not impact any of the currently available recourse mechanisms with respect to immigration enforcement. They also do not impact individuals already granted protected person status under subsection 95(2) of the IRPA and seeking to re-enter Canada.

U.S. interceptions and/or returns to Canada

All persons seeking to make a claim for asylum in the U.S. and intercepted seeking entry at a place other than a POE, or entering at a U.S. POE, will be returned to the closest CBSA port office. The CBSA port of entry must accept the return of the foreign national; a case-by-case assessment by an officer should be completed and all available officer options can be considered when accepting the return of the person from U.S. authorities.

Once the border measures between Canada and the U.S. are lifted, the individual is to be contacted by U.S. authorities and advised to return to the U.S for further processing.

Additional information

- Arrest and/or detention (A55) considerations are to be made using the **Temporary Measures to Guide Decisions to Detain and Consideration of Alternatives to Detention**
- For further instructions on symptomatic or asymptomatic foreign nationals, please refer to the shift briefing **Restricting the non-essential travel to Canada of U.S. citizens and other foreign nationals arriving from the United States by land, rail, ferry and maritime**
- Contact information for Public Health Agency of Canada Quarantine Operations Centres can be found in Appendix B (Quarantine Operations Centres) of **Enforcement Manual 4 (Port of Entry Examination).**
- Additional guidance on liaising with the Public Health Agency of Canada is found in the **People Processing Manual, Part 8, Chapter 5.2**
- Additional guidance on POE processing can be found in ENF4 manual
- Additional guidance on writing A44(1) reports and Minister's Delegate review under A44(2) can be found in **ENF5** and **ENF6** manual, respectively.
- **Operational Bulletin: PRG-2015-34**: Transportation of Non-detained Persons in Agency Vehicles while Administering CBSA Program Legislation

Regional management

Regional supervisors and managers will ensure that the above instructions are implemented immediately, and will be responsible for regional best practices and for conducting quality assurance.

Contact information

Any questions regarding this bulletin should be directed to the following email address:

Border Services Officers: If you have any questions, please forward them through the regional Corporate and Program Services Divisions, which (if required) will then send an email to the Traveller Operations Division's generic inbox: **ops_travellers-voyageurs@cbsa-asfc.gc.ca**

Approved by: John Ommanney, Director General
Travellers Branch

Christian Lorenz, Director General
Intelligence and Enforcement Branch

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Additional bulletins

Date modified: 2020-06-05



Canada Border Services Agency Agence des services frontaliers du Canada



Shift Briefing Bulletin

Subject:	**COVID-19 – Enhanced Border Measures in Support of Mandatory Quarantine (asymptomatic travellers) and Isolation (symptomatic travellers) (All Modes)**
Date:	**March 25, 2020 (Version 7b – updated April 25, 2020)**

Details:

Travellers who appear ill, or confirm that they are ill or unwell, and have symptoms consistent with COVID-19 will be referred for further examination.

As screening officers under the *Quarantine Act*, border services officers (BSO) will visually inspect all travellers for signs of illness as they approach the primary inspection line (PIL) or disembark a conveyance and ask specific enhanced screening questions.

BSOs should remain vigilant with respect to travellers coming from countries and regions where significant numbers of confirmed cases exist. BSOs should use probing questions to establish whether or not a traveller may be ill, unwell or potentially transmitting COVID-19.

A referral to a quarantine officer (QO) may coincide with another referral, i.e., immigration, customs or food, plant or animal (FPA). In such a case, the QO referral will take precedence over the immigration, customs or FPA referral. Once cleared by the QO, the traveller will be processed for immigration, customs or FPA concerns in line with CBSA policy.

Actions required by BSOs:

<u>All Modes</u>

All travellers are required to answer the following question:

> Public Health Agency of Canada (PHAC) Q1: **"Do you currently have a cough, difficulty breathing, or feel you have a fever?"**

Each traveller will be required to make the following declaration:

> Declaration: **"I acknowledge that I/we must quarantine (if no symptoms) or isolate (if symptomatic) for 14 days to prevent the potential spread of COVID-19."**

When travellers are processed in person, the BSO will ask them if they currently have a cough, difficulty breathing, or feel that they have a fever and mark the answers on the back of the E311 CBSA Declaration Card in the following fashion

- If **YES** to PHAC Q1 – QO - Sym
- If **NO** to PHAC Q1 - No code required.

The BSO will then ask the traveller to acknowledge that they are being directed to quarantine or isolate for the next 14 days to prevent the potential spread of COVID-19.

All travellers seeking entry into Canada who are <u>subject to mandatory quarantine or isolation</u> are required to wear a non-medical mask or face covering.

Anticipating that in the initial days POEs will have an insufficient stock of face coverings or masks to provide all travellers, BSOs are to prioritize symptomatic travellers and those in close contact with a BSO during a secondary examination.



Once sufficient stock of masks or face coverings is provided by PHAC, the CBSA will provide a masks or face covering to travellers who are not in possession of one at time of entry.

The BSO is to advise the traveller that they must wear the face covering or non-medical mask while transiting from the POE to their quarantine/isolation location or their residence in Canada.

For travellers who may be departing Canada before the end of the 14 day period (travellers transiting through Canada – not exempt from mandatory quarantine requirement), the BSO is to advise the traveller that they must wear a non-medical mask or face covering while in transit to exit Canada.

Note: PHAC has the responsibility to procure the masks for travellers. To be clear CBSA internal stocks of PPE are not be used for travellers.

For any traveller who has responded "YES" to PHAC Q1, at the earliest opportunity the BSO is to issue a mask kit and then follow the procedure outlined in the section ""YES" to PHAC screening question(Symptoms based)".

Non-medical face masks are protective layers of absorbent fabric (such as cotton) that snugly fit over the nose and mouth and are secured to the face with ties or ear loops. These masks prevent respiratory droplets from contaminating others or landing on surfaces.

Masks or coverings should:

- Be made of multiple layers of absorbent fabric (such as cotton)
- Cover the mouth and nose without gaps
- Fit securely to the head with ties or ear loops
- Allow for easy breathing
- Be changed as soon as possible if damp or dirty
- Stay the same shape after machine washing and drying

Additional guidance related to determining if a non-medical mask or face covering is considered appropriate can be found in the document titled *Guidance on Appropriate Non-Medical Masks or Face Coverings*.

Important: If required, the BSO will ask a traveller to remove their face covering for the purpose of identity verification. In such cases, the BSO is to ensure the traveller is at a 2m distance of the BSO when not wearing a face covering or mask.

Note: Non-medical masks and face coverings for travellers exempt from the quarantine requirement will be phased in. At this time, advise the traveller they are recommended to wear a non-medical mask or face covering when not able to physical distance and when interacting with other individuals.

"YES" to PHAC screening question(Symptoms based)

For any traveller who responds **yes** to the PHAC question, the BSO will confirm with the traveller that they have a cough, difficulty breathing, and a fever.

If confirmed, the BSO will refer the traveller to a PHAC QO.

Note: In cases where a PHAC QO is not onsite, the BSOs will follow procedures for contacting the PHAC Notification Line contained on the Screening Officer Cue Cards, Shift Briefing Bulletin 2019-HQ-AC-05-15, and in the Quarantine Standard Operating Procedures.





The BSO will then follow the direction of the PHAC QO. Two scenarios may occur if the traveller is referred to the PHAC QO:

1. BSO to provide green handout, advise the traveller of their obligation to quarantine for 14 days (see below statement) and follow the process outlined in the section titled ""NO" to PHAC Screening Question (symptoms-based) – Not subject to quarantine exemption"; or
2. BSO to provide the red handout to the traveller, the How to Isolate at Home with COVID-19 fact sheet and direct the traveller to complete the PHAC Coronavirus Form (if not already completed).

Note: For all travellers who are found to be symptomatic by a PHAC QO and provided the red handout, the BSO is to send an encrypted email to the Border Operations Centre with the traveller's name, date of birth, email, phone number, address in Canada and how the traveller submitted their contact information (paper form, desktop application, ArriveCAN mobile application, or the online form). The BSO is also to include the POE, as well as the date and time of passage.

Important: It is possible that a traveller may respond in the negative to the question and yet exhibit symptoms of possible illness (e.g., coughing; sneezing; excessive sweating; etc.) or exhibit indicators that they are not being truthful with their answer. In such cases, the BSO will make a mandatory referral to a QO, and advise the QO of the signs of illness or indicators of deception.

"NO" to PHAC Screening Question (symptoms-based) – Not subject to quarantine exemption

Travellers not presenting symptoms and who answered NO to PHAC Q1 will be advised they are required to quarantine for 14 days, and will be asked additional "yes or no" questions to determine if the individual is able to quarantine themselves.

BSO to advise the traveller of the following:

- ***"The Government of Canada has implemented an Order requiring all persons entering Canada to quarantine for 14 days in order to limit the introduction and spread of COVID-19.***
- ***Failure to comply with this Order and other related measures are offences under the Quarantine Act. The maximum penalties are a fine of up to $1,000,000 and/or imprisonment for three years.***
- ***In accordance with the Quarantine Act Section 58 Emergency Order, you are required to quarantine yourself for 14 days in order to limit the introduction and spread of COVID-19."***

Following the statement, the BSO will ask the following questions as appropriate and make a referral to a QO if required:

PHAC Q2: **Do you have accommodation where you can quarantine for 14 days?**
- If **YES** – Proceed to next question.
- If **NO** – Referral to QO and provided green handout. (Referral code: QO – Accom)

PHAC Q3: **Are there vulnerable people at the location where you plan to quarantine?**
- If **YES** – Referral to QO and provided green handout. (Referral code: QO – Vul)
- If **NO** – Proceed to next question.





Note: Vulnerable people refers to a person who:
(a) has an underlying medical condition that makes
the person susceptible to complications relating to COVID-19;
(b) has a compromised immune system from a medical condition or treatment; or
(c) is 65 years of age or older.
Note: Not applicable where the vulnerable person is a consenting adult or is the parent or minor in a parent-minor relationship.

PHAC Q4: **Is your quarantine accommodation a group living environment (e.g. group home or senior residence) or does it currently house different families?**

- If **YES** – Referral to QO and provided green handout. (Referral code: QO – MF)
- If **NO** – Proceed to next question.

PHAC Q5: **Can you have food, medication or other necessities delivered to your accommodation while in quarantine?**

- If **YES** – Traveller released with Green handout and the How to Quarantine at Home (No Symptoms) fact sheet.
- If **NO** – Referral to QO and provided green handout. (Referral code: QO – BN)

All travellers who do not have a suitable accommodation to quarantine will be provided the green PHAC handout and referred to a PHAC QO. The BSO will mark the back of the E311 CBSA Declaration Card, secondary referral form or kiosk receipt with the appropriate code indicated above.

Travellers who do not exhibit symptoms or indicators of deception, and have a suitable quarantine accommodation, can be released after all of the customs and immigration processes are completed. These travellers must be provided with the Green Coronavirus Handout along with the How to Quarantine at Home (No Symptoms) fact sheet.

"NO" to PHAC Screening Question – Subject to exemptions from Quarantine Requirement

Asymptomatic travellers who meet one of the exemptions below are exempt from the mandatory quarantine order and will be provided the brown handout. They will not be asked to quarantine. The BSO will advise the exempt traveller the following:

> *You are identified as an individual who is exempted from the mandatory quarantine order, as such, you are required to respect the intent of the order to minimize spread of COVID-19 in Canada. You must continually monitor your health for symptoms of COVID-19 including for 14 days each time you re-enter Canada. You are also reminded to be aware of and respect the public health guidance and instructions of the area where you are located.*

Quarantine Exemptions

Trade or Transport

- Persons in the trade or transportation sector who are important for the movement of goods or people, including truck drivers and crew members on any aircraft, shipping vessel or train, and that cross the border while performing their duties or for the purpose of performing their duties;
- A crew member as defined in subsection 101.01(1) of the Canadian Aviation Regulations or a person who enters Canada only to become such a crew member;



- A member of a crew as defined in subsection 3(1) of the Immigration and Refugee Protection Regulations or a person who enters Canada only to become such a crew member; or
- A person, including a captain, deckhand, observer, inspector, scientist and any other person supporting commercial or research fishing-related activities, who enters Canada aboard a Canadian fishing vessel or a foreign fishing vessel as defined in subsection 2(1) of the Coastal Fisheries Protection Act, for the purpose of carrying out fishing or fishing-related activities, including offloading of fish, repairs, provisioning the vessel and exchange of crew.

Essential Services

- A person who enters Canada if the entry is necessary to return to their habitual place of residence in Canada after carrying out an everyday function that, due to geographical constraints, must involve entering the United States.
- A person who enters Canada within the boundaries of an integrated trans-border community that exists on both sides of the Canada-United States border and who is a habitual resident of that community, if entering Canada is necessary for carrying out an everyday function within that community;
- Technicians specified by manufacturer warranty to maintain or repair equipment necessary to support critical infrastructure (Energy and Utilities, Information and Communication Technologies, Finance, Health, Food, Water, Transportation, Safety, Government and Manufacturing);
- A person whom the Chief Public Health Officer determines will provide an essential service
- A member of the Canadian Forces or a visiting force as defined in section 2 of the Visiting Forces Act;
- A person permitted to work in Canada as a provider of emergency services under paragraph 186(t) of the Immigration and Refugee Protection Regulations; or
- A person whose presence in Canada is, in the opinion of the Minister of Foreign Affairs, the Minister of Citizenship and Immigration or the Minister of Public Safety and Emergency Preparedness, in the national interest.

Cross Border Worker

- Persons who must cross the border regularly to go to their normal place of employment, including critical infrastructure workers (Energy and Utilities, Information and Communication Technologies, Finance, Health, Food, Water, Transportation, Safety, Government and Manufacturing) who must cross the border regularly to go to their normal place of employment, provided they do not directly care for persons 65 years of age or older within the first 14 days after their entry to Canada.

Medical Support

- A person who enters Canada for the purpose of providing medical care or transporting essential medical equipment, supplies, or means of treatment, or delivering, maintaining, or repairing medically-necessary equipment or devices, as long as they do not directly care for persons 65 years of age or older within the first 14 days after their entry to Canada.
- A person who enters Canada at the invitation of the Minister of Health for the purpose of assisting in the COVID-19 response;
- A person who enters Canada for the purpose of receiving essential medical services or treatments, other than services or treatments related to COVID-19;



- A person permitted to work in Canada as a student in a health field under paragraph 186(p) of the Immigration and Refugee Protection Regulations, as long as they do not directly care for persons 65 years of age or older within the first 14 days after their entry to Canada; or
- A licensed health care professional with proof of employment in Canada, as long as they do not directly care for persons 65 years of age or older within the first 14 days after their entry to Canada.

PHAC Contact Information Collection (Compliance and Monitoring)

All travellers seeking entry into Canada who are subject to mandatory quarantine or isolation are required to provide their contact tracing information. Consult the annex titled PHAC Contact Information Collection (Compliance and Monitoring) for all relevant information.

Personal protective equipment:

Please refer to the shift briefing bulletin 2020-HQ-AC-01-26: Occupational Health Advisory: Novel Coronavirus.

Land, Rail, Ferry Modes:

BSOs will ask the mandatory screening questions and make the appropriate referrals to a PHAC QO as required. BSOs at PIL will be required to ask all relevant questions to the travellers directly.

PIL BSOs may exercise discretion in posing the enhanced screening questions to frequent travellers (e.g., commuters) if they know that the traveller has recently been screened, and are exempt from mandatory quarantine.

For any traveller who indicates they have a cough, difficulty breathing, or feel that they have a fever, the PIL BSO will refer the traveller to secondary and advise the secondary BSO of the situation and the need to refer the traveller to a QO for a suspected symptomatic case.

Depending on the set up of the port of entry (POE), either the PIL or secondary BSO will direct the traveller to park their vehicle on the far side of the secondary area.

The BSO will ask the traveller to remain in the vehicle, and contact a PHAC QO for further questioning and health assessment. If it is not feasible for the traveller to remain in the vehicle, and in case of bus travellers or pedestrians, the ill person will be escorted to an isolation room.

Processing of travellers arriving on buses and trains: At locations with bus and train PIL, all passengers should be processed through standard PIL. At locations without bus or train PIL, BSOs should make every effort to afford travellers privacy when conducting screening under the Quarantine Act. If an ill traveller is identified on a bus or a train, the BSO will confirm a symptomatic case definition and contact a PHAC QO. The BSO will, if feasible, not release other bus or train passengers and explain the situation to the QO. The QO will make a decision whether or not further follow-up is required with respect to other travellers on the bus or the train car where the ill person was seated.

Air Mode:

BSOs will ask the mandatory screening questions and make the appropriate referrals to a PHAC QO as required.

Travellers will be asked the PHAC health screening symptoms-based question and declaration in-person or at a kiosk.

Note: The additional questions related to quarantine will be asked by BSOs directly either at PIL or by the podium / triage / referral / document verification officer depending on POE specific operations and setup. These questions are not available at the kiosk.

Quick Reference Kiosk Referral Codes:

- Primary Inspection Kiosks (PIK): If the traveller answers the question in the affirmative, the PIK receipt will be marked with the number 1 at position #8 of the referral coding zone at the top of the receipt to indicate that the traveller answered Yes to the PHAC Special Other Government Department (SOGD) question.
- New NEXUS kiosks: If the traveller answers in the affirmative to the question, the NEXUS receipt will be marked with the number 1 of the referral coding zone at the top of the receipt to indicate that the traveller answered Yes to the PHAC SOGD question.
- Old NEXUS kiosks: If the traveller answers in the affirmative to the question, the kiosk receipt will display "PH".
- Automated Border Clearance (ABC) kiosks: The number 1 will appear in the last numeric spot on the second line of coding.

Telephone Reporting Centre (TRC):

General aviation and NEXUS and CANPASS Private Boats pleasure craft

TRC officers will confirm with the aircraft operator the foreign point of origin of all travellers and pose the enhanced screening question, **"Do you, or any of the passengers on board, currently have a cough, difficulty breathing, or feel you have a fever?"** to the operator/pilot during the first call to the TRC (48-2 hour advance notification). The operator/pilot will be instructed to obtain this information from all passengers on board and call the TRC back, if needed.

The same process will be followed when processing NEXUS and CANPASS Private Boats members arriving on pleasure craft where advance notification is made to the TRC (30 min to 4 hrs) prior to the vessel's arrival in Canada.

100% referral for verification is required for all general aviation arrivals for the purpose of visually assessing the health of travellers and implementing the enhanced screening procedures for aircrafts arriving at designated reporting airport locations where resources are available and able to attend .

Additionally, if otherwise not restricted or prohibited entry by the PHAC Orders in Council or the Transport Canada Interim Order, the TRC officer will instruct the pilot to advise all asymptomatic travellers on board that they are required to quarantine for 14 days upon arrival in Canada (symptomatic travellers are required to isolate). The TRC BSO will ask the pilot to acknowledge that all the travellers will be directed to quarantine for 14 days. The TRC BSO will then ask the pilot to ask all travellers on board the following questions:

Do you, as well as all passengers on board, have accommodation where you/ they can quarantine for 14 days?
- If **YES** – Proceed to next question.
- If **NO** – Referral to QO and provided green handout. (Referral code: QO – Accom)

Are there vulnerable people at the location where you, or **any of the passengers on board, plan to quarantine?**
- If **YES** – Referral to QO and provided green handout. (Referral code: QO – Vul)
- If **NO** – Proceed to next question.





Is your quarantine accommodation a group living environment (e.g. group home or senior residence) or does it currently house different families?
- If **YES** – Referral to QO and provided green handout. (Referral code: QO – MF)
- If **NO** – Proceed to next question.

Can you, as well as all passengers on boar, have food, medication or other necessities delivered to your/ their accommodation while in quarantine?
- If **YES** – Traveller released with Green handout.
- If **NO** – Referral to QO and provided green handout. (Referral code: QO – BN)

The TRC officer will also advise the pilot that all travellers seeking entry into Canada who are subject to mandatory quarantine or isolation are required to wear a non-medical mask or face covering. In addition, they are to indicate that the pilot and all passengers must wear the face covering or mask while transiting from the POE to their quarantine/isolation location or their residence in Canada. If travellers will be leaving Canada before the end of the 14 days quarantine/isolation period, they must wear a mask while in Canada.

The TRC officer will email the aircraft operator the PHAC GREEN pamphlet for distribution to all passenger and crew aboard the aircraft.

Non-member pleasure craft, snowmobiles and vehicles

TRC officers will follow the same process as outlined above for general aviation. However, the questioning and acknowledgment of quarantine will be conducted upon the arrival of the conveyance in Canada as there is no requirement for advance notification from non-members arriving on these conveyances.

Referral to secondary

In all cases and modes of travel, if a traveller on board an inbound conveyance is reported to be displaying any signs of illness associated with the coronavirus (or any other communicable disease), the TRC officer will make a secondary referral in the TRC System (TRCS) for quarantine screening and notify the superintendent at the responding verification office of the referral details.

Verification Offices:

The superintendent will discuss the situation with BSOs attending arriving inbound conveyances and ensure that the BSOs have the appropriate personal protective equipment for their use when dealing with a potentially ill traveller.

Verification officers will screen **all** travellers for signs of a communicable disease, pose the screening questions as outlined in this document, and make a referral to a QO by calling the PHAC Notification Line, if required.

In addition, verification BSOs will ask all travellers to acknowledge that they are being asked to quarantine for 14 days upon entering Canada and ensure all questions related to their quarantine accommodation have been asked to the travellers.

The verification officer will also advise the travellers that all travellers seeking entry into Canada who are subject to mandatory quarantine or isolation are required to wear a non-medical mask or face covering. In addition, they are to indicate that the pilot and all passengers must wear the face covering or mask while transiting from the POE to their quarantine/isolation location or their residence in Canada. If travellers will be leaving Canada before the end of the 14 days quarantine/isolation period, they must wear a mask while in Canada.

Note: Verification BSOs should bring with them several GREEN and RED PHAC handouts as well as masks to provide to travellers when required.





If a verification officer is not able to meet the conveyance, the TRC verification details will be updated in the TRCS and any available information obtained from the aircraft operators as to the condition of travellers will be entered for the passage.

Note: TRC and verification BSOs should follow instructions contained in shift briefing bulletins 2020-HQ-AC-03-26-B, "Restricting the Non-essential Travel to Canada of U.S Citizens and Other Foreign Nationals Arriving from the United States (All Modes)", and 2020-HQ-AC-03-26, "Prohibiting Certain Foreign Nationals from Entering Canada from any Country Other than the United States" for the handling of arrivals which do not meet exceptions from entry restrictions and prohibitions.

Actions required by superintendents:

Superintendents must ensure that front line officers follow the above outlined procedures. Superintendents will ensure that officers promptly acquit all referrals in the Secondary Processing (SP) application.

Daily, manually collected data, will be provided by each POE, where COVID-19 enhanced measures are implemented. The report must be provided at the end of the day no later than 0200 hrs local time for the entire preceding 24 hours period (0000 - 2359 hrs), including on weekends and holidays. The POE reports will be submitted to the Regional Operations Centers, or designated area reasonable in each Region. The information will be complied and sent to the COVID-19 Taskforce and Border Operations Centre no later than 0730 EDT.

1. Health Screening: Number of travellers who answered yes to "do you currently have a cough, difficulty breathing or feel you have a fever?" or appear unwell and have symptoms consistent with the syndromal case definition of COVID-19
2. Health Screening: Number of travellers referred to a quarantine officer (QO) for being symptomatic.
3. Health Screening: Number of asymptomatic travellers referred to a quarantine officer (QO) for not having a suitable accommodation to quarantine.

Note: A call to the PHAC Notification Line re. a passenger who may be ill / requires a medical assessment by a QO, constitutes a referral to a QO and must be reported to BOC.

Inquiries:

Officers may direct any questions through the regional Corporate and Program Services Divisions, which (if required) will then send an email to the Coronavirus Task Force generic inbox: CBSA.Corona_Virus_TF-GT_virus_Corona.ASFC@cbsa-asfc.gc.ca.

References:

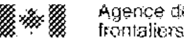
2020-HQ-AC-03-25-B, Annex A: PHAC Contact Information Collection (Compliance and Monitoring)
2020-HQ-AC-03-26: Prohibiting Certain Foreign Nationals From Entering Canada from any Country other than the United States
2020-HQ-AC-03-26-B: Restricting the non-essential travel to Canada of U.S citizens and other foreign nationals arriving from the United States (all modes)
Annex A: Entry Restrictions and Exemptions - Essential / Non-Discretionary Travel and Non-Essential / Discretionary Travel
Annex B: Determining whether entry will be for a discretionary/optional purpose and whether an individual is exempt from mandatory self-isolation
Quarantine Standard Operating Procedures





2019-HQ-AC-05-15: Changes to the Public Health Agency of Canada (PHAC)'s Quarantine Services: New PHAC Notification Procedures Job aid: Role of the BSO (screening officer) 2020-HQ-AC-01-26: Occupational Health Advisory: Novel Coronavirus 2020-HQ-AC-02-08-B: Reporting – Novel Coronavirus (2019-nCoV) Operational Bulletin - Regulatory Amendments to Implement Travel Prohibitions in Response to the COVID-19 Pandemic Operational Bulletin - COVID-19 Response - Direct Backs to the USA for Foreign Nationals who make a claim for refugee protection
Issued by: Novel Coronavirus Task Force







Bulletin d'information de quart de travail

Objet :	**COVID-19 – Mesures frontalières renforcées à l'appui de la quarantaine obligatoire (voyageurs asymptomatiques) et de l'isolement obligatoire (voyageurs symptomatiques) (tous les modes de transport)**
Date :	**Le 25 mars 2020 (version 7b – modifié le 25 avril 2020)**

Détails

Les voyageurs qui à première vue semblent malades ou qui confirment qu'ils sont malades ou indisposés, et qui présentent des symptômes qui correspondent à la COVID-19 seront renvoyés pour un examen plus approfondi.

En tant qu'agents de contrôle en vertu de la *Loi sur la mise en quarantaine*, les agents des services frontaliers (ASF) procéderont à une inspection visuelle de tous les voyageurs pour détecter des signes de maladie lorsqu'ils s'approchent de la ligne d'inspection primaire (LIP) ou lors du débarquement du mode de transport et poseront des questions spécifiques de contrôle plus approfondies.

Les ASF devraient rester vigilants à l'égard des voyageurs provenant de pays et de régions où il existe un nombre important de cas confirmés. Les ASF devraient utiliser des questions d'approfondissement pour déterminer si un voyageur est malade, indisposé ou s'il est susceptible de transmettre la COVID-19.

Le renvoi d'un agent de quarantaine (AQ) peut coïncider avec un autre renvoi, c'est-à-dire un renvoi de l'immigration, des douanes ou de l'alimentation, des plantes ou des animaux (APA). Dans un tel cas, le renvoi de l'AQ aura la priorité sur le renvoi de l'immigration, des douanes ou de l'APA. Une fois autorisé par l'AQ, le voyageur sera traité pour des questions de l'immigration, des douanes ou de l'APA, conformément à la politique de l'ASFC.

Mesures devant être prises par les ASF :

<u>Tous les modes de transport</u>

Tous les voyageurs doivent répondre à la question suivante :

> Q1 de l'Agence de la santé publique du Canada (ASPC) : **« Avez-vous actuellement de la toux, de la difficulté à respirer ou faites-vous de la fièvre? »**

Chaque voyageur devra faire la déclaration suivante :

> Déclaration : **« Je/nous reconnais/reconnaissons que je/nous dois/devons me mettre en quarantaine/nous mettre en quarantaine (si aucun symptôme) m'isoler/nous isoler (si symptomatique) pour les 14 prochains jours afin d'empêcher la propagation potentielle de la COVID-19. »**

Lorsque les voyageurs sont traités en personne, l'ASF leur demandera s'ils ont de la toux, de la difficulté à respirer ou s'ils sentent qu'ils font de la fièvre, et inscrira les réponses au verso de la carte de déclaration E311 de la manière suivante :

- Si **OUI** à la Q1 de l'ASPC – AQ – Sym
- Si **NON** à la Q1 de l'ASPC – Aucun code requis.





Ensuite, l'ASF demandera au voyageur de confirmer qu'on leur demande de se mettre en quarantaine ou de s'isoler pour les 14 prochains jours afin d'empêcher la propagation potentielle de la COVID-19.

Tous les voyageurs qui souhaitent entrer au Canada et qui devront être en quarantaine ou en isolement doivent porter un masque non médical ou un couvre-visage approprié.

Prévoyant que, dans les premiers jours, les PDE ne disposeront pas d'un stock suffisant de masques ou de couvre-visage pour tous les voyageurs, les ASF doivent donner la priorité aux voyageurs symptomatiques et à ceux qui sont en contact étroit avec un ASF lors d'un contrôle secondaire.

Une fois que l'ASPC aura fourni un stock suffisant de masques ou de couvre-visage appropriés, l'ASFC en fournira un à tous les voyageurs qui n'en ont pas en leur possession au moment de leur entrée.

L'ASF doit indiquer au voyageur qu'il doit porter un couvre-visage approprié ou un masque non médical du point d'entrée jusqu'au lieu de quarantaine ou d'isolement, ou jusqu'à la résidence au Canada du voyageur.

En ce qui a trait aux voyageurs qui doivent quitter le Canada avant la fin de la période de 14 jours (voyageurs qui transitent par le Canada – non exemptés de la quarantaine obligatoire), l'ASF doit leur demander de porter un masque non médical ou un couvre-visage adéquat durant leur transit en vue de quitter le Canada.

Remarque : l'ASPC a la responsabilité d'acheter les masques pour les voyageurs. Pour être clair, les stocks internes d'EPI de l'ASFC ne sont pas utilisés pour les voyageurs.

Pour tout voyageur ayant répondu « OUI » à la question 1 de l'ASPC, l'ASF doit, dès que possible, délivrer une trousse de masques et suivre ensuite la procédure décrite dans la section « OUI » à la question de dépistage de l'ASPC (basée sur les symptômes).

Pour tous les voyageurs asymptomatiques qui devront être en quarantaine, l'ASF doit s'assurer que le voyageur porte un masque ou un couvre-visage approprié, conformément aux directives fournies par l'ASPC. Les masques faciaux non médicaux sont des couches protectrices de tissu absorbant (comme le coton) qui s'ajustent parfaitement sur le nez et la bouche et sont fixés au visage par des attaches ou des boucles d'oreilles. Ces masques empêchent les gouttelettes respiratoires de contaminer les autres ou de se poser sur les surfaces.

Les masques ou les revêtements devraient :

- être faits de plusieurs couches de tissu absorbant (comme le coton)
- couvrir la bouche et le nez sans ouverture
- s'affixer solidement à la tête avec des attaches ou des boucles d'oreilles
- permettre de respirer facilement
- être changés dès que possible s'ils deviennent humides ou sales
- garder la même forme après le lavage et le séchage à la machine

Des directives supplémentaires pour déterminer si un masque non médical ou un couvre-visage est considéré comme approprié se trouvent dans le document intitulé « *Directive sur les masques et couvertures faciales non médicaux appropriés* ».

Important : Si nécessaire, l'ASF demandera à un voyageur d'enlever son couvre-visage aux fins de vérification de son identité. Dans ce cas, l'ASF doit s'assurer que le voyageur se trouve à une distance de deux mètres lorsqu'il ne porte pas de masque ou de couvre-visage.







Remarque : Le port du masque non médical et du couvre-visage approprié pour les voyageurs exemptés de la quarantaine obligatoire sera mis en application progressivement. À l'heure actuelle, il faut indiquer aux voyageurs que le port du masque non médical ou d'un couvre-visage approprié est recommandé lorsque l'éloignement physique n'est pas une possibilité et dans le cadre d'interactions avec d'autres personnes.

« OUI » à la question de dépistage de l'ASPC (selon les symptômes)

Pour tout voyageur qui répond **oui** à la question de l'ASPC, l'ASF confirmera avec le voyageur qu'il a une toux, des difficultés respiratoires et de la fièvre.

Si confirmé, l'ASF renverra le voyageur à un AQ de l'ASPC.

Remarque : Dans les cas où un AQ de l'ASPC n'est pas sur place, l'ASF suivra les procédures pour communiquer avec la ligne de signalement de l'ASPC figurant sur les fiches de renseignements de l'agent de contrôle, le bulletin d'information du quart de travail 2019-HQ-AC-05-15 et dans les procédures opérationnelles normalisées de quarantaine.

L'ASF suivra ensuite les instructions de l'AQ de l'ASPC. Deux scénarios peuvent se produire si le voyageur est renvoyé à l'AQ de l'ASPC :

1. L'ASF doit fournir un document vert, informer le voyageur de son obligation de se mettre en quarantaine pendant 14 jours (voir la déclaration ci-dessus) et suivre le processus établi dans la Réponse « NON » à la question de contrôle de l'ASPC (selon les symptômes) – Non assujettis à l'exemption de la mise en quarantaine; ou,
2. L'ASF doit fournir le document rouge au voyageur, le pamphlet Comment s'isoler chez soi lorsqu'on est peut-être atteint de la COVID-19, et lui demander de remplir le formulaire sur le coronavirus de l'ASPC (s'il n'est pas déjà rempli).

Remarque : Pour tous les voyageurs qui sont jugés symptomatiques par un AQ de l'ASPC et qui ont reçu le document rouge, l'ASF doit envoyer un courriel chiffré au Centre des opérations frontalières avec le nom du voyageur, sa date de naissance, son courriel, son numéro de téléphone, son adresse au Canada et la façon dont il a soumis ses coordonnées (formulaire papier, application sur ordinateur, application mobile ArriveCAN ou le formulaire en ligne). L'ASF doit également inclure le PDE, ainsi que la date et l'heure du passage.

Important : Il est possible qu'un voyageur réponde par la négative à la question et présente néanmoins des symptômes de maladie possible (par exemple, toux, éternuements, transpiration excessive, etc.) ou montre des signes que leurs réponses ne sont pas sincères. Dans de tels cas, l'ASF fera un renvoi obligatoire à un AQ, et avisera l'AQ des signes de maladie ou des indicateurs de tromperie.

Réponse « NON » à la question de contrôle de l'ASPC (selon les symptômes) – Non assujettis à l'exemption de la mise en quarantaine

Les voyageurs ne présentant pas de symptômes et ayant répondu NON à la question 1 de l'ASPC seront informés qu'ils devront être en quarantaine pendant 14 jours et devront répondre à des questions supplémentaires par « oui » ou « non » afin de déterminer s'ils peuvent se mettre en quarantaine eux-mêmes.



Agence des services frontaliers du Canada | Canada Border Services Agency



L'ASF doit informer le voyageur de ce qui suit :

- ***« Le gouvernement du Canada met en œuvre un décret exigeant que toutes les personnes entrant au Canada se mettent en quarantaine pendant 14 jours afin de limiter l'introduction et la propagation de la COVID-19.***
- ***Le non-respect de ce décret et d'autres mesures connexes constitue une infraction à la* Loi sur la mise en quarantaine*. Les peines maximales sont une amende pouvant aller jusqu'à 1 000 000 $ et/ou un emprisonnement de trois ans.***
- ***Conformément à l'article 58 (Urgences) de la* Loi sur la mise en quarantaine*, vous devez être en quarantaine pendant 14 jours afin de limiter l'introduction et la propagation de la COVID-19. »***

Après la déclaration, l'ASF posera les questions suivantes, le cas échéant, et renverra à un OQ si nécessaire :

Q2 de l'ASPC : **Est-ce que vous disposez d'un logement où vous pouvez vous mettre en quarantaine pendant 14 jours?**
- Si **OUI** – Passez à la question suivante.
- Si **NON** – Renvoi à un AQ et remise du document vert. (Code de référence : QO – Accom)

Q3 de l'ASPC : **Y a-t-il des personnes vulnérables à l'endroit où vous prévoyez vous mettre en quarantaine?**
- Si **OUI** – Renvoi à un AQ et remise d'un document vert. (Code de référence : QO – Vul)
- Si **NON** – Passez à la question suivante.
  Remarque : Par « personnes vulnérables », on entend une personne qui :
  a) a une condition médicale sous-jacente qui rend la personne susceptible de présenter des complications liées à COVID-19;
  b) a un système immunitaire affaibli par une affection ou un traitement médical;
  c) est âgé de 65 ans ou plus.
  Remarque : sauf si cette personne vulnérable est un adulte consentant ou si elle est le parent ou l'enfant mineur dans une relation parent-enfant.

Q4 de l'ASPC: **Votre lieu de quarantaine est-il un milieu de vie en groupe (p. ex., un foyer de groupe ou une résidence pour personnes âgées) ou héberge-t-il actuellement des familles différentes?**
- Si **OUI** – Renvoi à l'AQ et remise d'un document vert. (Code de référence : AQ - MF)
- Si **NON** – Passez à la question suivante.

Q5 de l'ASPC : **Pouvez-vous vous faire livrer de la nourriture, des médicaments ou d'autres produits essentiels à votre logement pendant la quarantaine?**
- Si **OUI** – Le voyageur est libéré avec le document vert et le pamphlet Comment s'isoler à la maison (aucune symptôme).
- Si **NON** – Renvoi à un AQ et remise d'un document vert. (Code de référence : QO – BN)





Tous les voyageurs qui ne disposent pas d'un logement approprié pour la quarantaine recevront le document vert de l'ASPC et seront renvoyés à un AQ de l'ASPC. L'ASF inscrira au verso de la carte de déclaration E311 de l'ASFC, du formulaire de renvoi secondaire ou du reçu du kiosque le code approprié indiqué ci-dessus.

Les voyageurs qui ne présentent pas de symptômes ou d'indices de tromperie et qui disposent d'un logement de quarantaine approprié peuvent être libérés après avoir accompli toutes les procédures de douane et d'immigration. Ces voyageurs doivent recevoir le document sur le coronavirus vert et, si nécessaire, une trousse de masques.

Réponse « NON » à la question de contrôle de l'ASPC – Assujettis aux exemptions d'auto-isolement

Les voyageurs qui répondent à l'une des exemptions ci-dessous sont exemptés de l'ordonnance de quarantaine obligatoire et recevront le document marron. Il ne leur sera pas demandé de se mettre en quarantaine. L'ASF avisera le voyageur exempté de l'obligation de quarantaine de ce qui suit :

> Vous êtes identifié comme une personne exemptée de l'ordonnance de quarantaine obligatoire, à ce titre, vous êtes tenu de respecter l'intention de l'ordre de minimiser la propagation de la COVID-19 au Canada. Vous devez surveiller en permanence votre santé pour détecter les symptômes de COVID-19, y compris pendant 14 jours chaque fois que vous rentrez au Canada. Il vous est également rappelé de prendre connaissance et de respecter les directives et les instructions de la santé publique de la région où vous vous trouvez.

<u>Exemptions de quarantaine</u>

<u>Commerce ou transport</u>

- Les personnes qui travaillent dans les domaines du commerce et du transports qui sont importantes au mouvement des biens ou des personnes, y compris les camionneurs et membres d'équipage de tout avion, navire de transport ou train, et qui traversent la frontière dans l'exercice de leurs fonctions ou dans le but d'exercer leurs fonctions;
- un membre d'équipage tel que défini au paragraphe 101.01(1) du *Règlement de l'aviation canadien* ou une personne qui entre au Canada uniquement pour devenir un tel membre d'équipage;
- un membre d'équipage tel que défini au paragraphe 3(1) du *Règlement sur l'immigration et la protection des réfugiés* ou une personne qui entre au Canada uniquement pour devenir un tel membre d'équipage; ou
- une personne, y compris un capitaine, un matelot, un observateur, un inspecteur, un scientifique et toute autre personne soutenant des activités commerciales ou de recherche liées à la pêche, qui entre au Canada à bord d'un navire de pêche canadien ou d'un navire de pêche étranger tel que défini au paragraphe 2(1) de la *Loi sur la protection des pêches côtières*, dans le but d'exercer des activités de pêche ou des activités liées à la pêche, y compris le déchargement du poisson, les réparations, l'approvisionnement du navire et la rotation de membres d'équipage.

<u>Services essentiels</u>

- une personne qui entre au Canada si l'entrée est nécessaire pour retourner à son lieu de résidence habituel au Canada après avoir exercé une fonction quotidienne qui, en raison de contraintes géographiques, doit impliquer l'entrée aux États-Unis;
- une personne qui entre au Canada dans les limites d'une collectivité transfrontalière intégrée qui existe des deux côtés de la frontière entre le Canada et les États-Unis et qui





est un résident habituel de cette collectivité, si l'entrée au Canada est nécessaire pour exercer une fonction quotidienne au sein de cette communauté;

- Techniciens désignés par la garantie du fabricant pour l'entretien ou la réparation des équipements nécessaires pour soutenir des infrastructures essentielles (énergie et services publics, technologies de l'information et de la communication, finances, santé, alimentation, eau, transport, sécurité, gouvernement et secteur manufacturier).
- une personne qui, selon l'administrateur en chef de la santé publique, fournira un service essentiel;
- un membre des Forces canadiennes ou d'une force de visite telle que définie à l'article 2 de la *Loi sur les forces étrangères présentes au Canada*;
- une personne autorisée à travailler au Canada en tant que fournisseur de services d'urgence en vertu de l'alinéa 186t) du *Règlement sur l'immigration et la protection des réfugiés*; ou
- une personne dont la présence au Canada est, de l'avis du ministre des Affaires étrangères, du ministre de la Citoyenneté et de l'Immigration ou du ministre de la Sécurité publique et de la Protection civile, dans l'intérêt national.

Travailleur transfrontalier

- Les personnes qui doivent traverser la frontière régulièrement pour se rendre à leur lieu de travail normal, y compris les travailleurs des infrastructures essentielles (énergie et services publiques, technologies de l'information et de la communication, finances, santé, alimentation, eau, transport, sécurité, gouvernement et secteur fabrication) qui doivent traverser la frontière régulièrement pour se rendre à leur lieu de travail normal, à condition qu'ils ne fournissent pas de soins directs aux personnes de 65 ans ou plus dans les 14 premiers jours suivant leur entrée au Canada.

Soutien médical

- une personne qui entre au Canada dans le but de fournir des soins médicaux ou de transporter des équipements, des fournitures ou des moyens de traitements médicaux essentiels, ou de livrer, d'entretenir ou de réparer des équipements ou des dispositifs médicaux nécessaires, à condition qu'elle ne s'occupe pas directement de personnes âgées de 65 ans ou plus dans les 14 premiers jours suivant son entrée au Canada;
- une personne qui entre au Canada à l'invitation du ministre de la Santé dans le but de participer à l'intervention COVID-19;
- une personne qui entre au Canada dans le but de recevoir des services ou des traitements médicaux essentiels, autres que les services ou les traitements liés à la COVID-19;
- une personne autorisée à travailler au Canada en tant qu'étudiant dans un domaine de la santé en vertu de l'alinéa 186p) du *Règlement sur l'immigration et la protection des réfugiés*, à condition qu'elle ne s'occupe pas directement de personnes âgées de 65 ans ou plus dans les 14 premiers jours suivant son entrée au Canada; ou
- un professionnel de la santé agréé avec une preuve d'emploi au Canada, à condition qu'il ne s'occupe pas directement de personnes âgées de 65 ans ou plus dans les 14 premiers jours suivant leur entrée au Canada.

ASPC – Collecte de coordonnées (Respect et surveillance)

Tous les voyageurs qui cherchent à entrer au Canada qui sont sujets à l'ordonnance d'auto-quarantine ou d'auto-isolement obligatoire doivent fournir leur coordonnées.





Équipement de protection individuelle

Consulter le bulletin d'information de quart de travail 2020 – HQ-AC-01-26 : Avis de santé au travail : nouveau coronavirus.

Voies terrestres, ferroviaires et par traversier

Les ASF poseront les questions de dépistage obligatoires et renverront les personnes concernées à un AQ de l'ASPC, le cas échéant. Les ASF à la LIP devront poser toutes les questions pertinentes directement aux voyageurs.

Les ASF de la LIP peuvent, à leur discrétion, poser les questions de contrôle approfondies aux voyageurs fréquents (par exemple, les navetteurs) s'ils savent que le voyageur a récemment fait l'objet d'un contrôle, et s'ils sont exemptés de la quarantaine obligatoire.

Pour tout voyageur qui indique avoir de la toux, avoir des difficultés à respirer ou se sentir fiévreux, l'ASF de la LIP dirigera le voyageur vers l'ASF secondaire et informera celui-ci de la situation et de la nécessité de diriger le voyageur vers un AQ pour un cas symptomatique présumé.

En fonction de la configuration du point d'entrée, la LIP ou l'ASF secondaire demandera au voyageur de garer son véhicule de l'autre côté de la zone secondaire.

L'ASF demandera au voyageur de rester dans le véhicule et communiquera avec un AQ de l'ASPC pour un interrogatoire plus approfondi et une évaluation de santé. S'il n'est pas possible pour le voyageur de rester dans le véhicule et, dans le cas des voyageurs par autobus ou des piétons, la personne malade est escortée dans une pièce d'isolement.

Traitement des voyageurs arrivant par autobus et par train : Dans les endroits où il existe des LIP pour les autobus et les trains, les passagers devraient être traités selon une LIP standard. Dans les endroits où il n'y a pas de LIP pour les autobus ou les trains, les ASF doivent faire tous les efforts possibles pour assurer la protection de la vie privée des voyageurs lorsqu'ils procèdent au contrôle en vertu de la *Loi sur la mise en quarantaine*. Si un voyageur malade est identifié dans un autobus ou un train, l'ASF confirmera une définition de cas symptomatique et communiquera avec un AQ de l'ASPC. Dans la mesure du possible, l'ASF ne libérera pas les autres passagers de l'autobus ou du train et expliquera la situation à l'AQ. L'AQ décidera si un suivi supplémentaire est nécessaire ou non en ce qui concerne les autres voyageurs dans l'autobus ou le wagon de train où la personne malade était assise.

Voie aérienne

Les ASF poseront les questions de dépistage obligatoires et renverront les personnes concernées vers un AQ de l'ASPC, le cas échéant.

Les voyageurs se verront poser les questions de dépistage de l'ASPC selon les symptômes et la déclaration en personne ou à un kiosque.

Remarque : Les questions supplémentaires relatives à la quarantaine et à la poursuite du voyage seront posées par les ASF directement à la LIP ou par l'agent au podium, du triage, de renvoi et responsable de la vérification des documents selon les opérations et la configuration spécifiques du point d'entrée. Ces questions ne sont pas disponibles au kiosque.

Référence rapide concernant les codes de renvoi aux bornes :

- Bornes d'inspection primaire (BIP) : Si le voyageur répond à la question par l'affirmative, le reçu BIP sera marqué du numéro 1 le numéro 1 sera affiché à la position 8 de la zone des





codes de renvoi en haut du reçu de la BIP pour indiquer que le voyageur a répondu Oui à la question particulière d'autres ministères (QPAM) de l'ASPC.

- Nouvelles bornes NEXUS : Si le voyageur répond par l'affirmative à la question, le numéro 1 sera affiché à la position 8 de la zone des codes de renvoi en haut du reçu de la BIP pour indiquer que le voyageur a répondu Oui à la QPAM de l'ASPC.
- Anciennes bornes NEXUS : Lorsqu'un voyageur répond par l'affirmative à la question, le système codifiera le coupon en inscrivant « PH » (voir ci-dessous).
- Bornes de Contrôle frontalier automatisé (CFA) : Le chiffre 1 apparaîtra au dernier point numérique de la deuxième ligne de codage.

Centre de déclaration par téléphone (CDT)

Aviation générale et NEXUS et CANPASS Bateaux privés navires de plaisance

Les agents du CDT, pour aider au contrôle des voyageurs arrivant au Canada par des vols d'aviation générale (aéronefs privés et d'entreprise), vont confirmer avec les opérateurs d'aéronefs l'origine étrangère de tous les voyageurs en route vers le Canada et poser la question de dépistage spécifique **« Avez-vous, ou un des passagers à bord, actuellement de la toux, de la difficulté à respirer ou faites-vous de la fièvre? »** aux opérateurs d'aéronefs pendant le premier appel au CDT (avisé de 2 à 48 heures à l'avance). Les opérateurs d'aéronefs recevront l'instruction d'obtenir cette information de tous les passagers à bord et de contacter le CDT, si nécessaire.

La procédure à suivre sera la même lors du traitement des membres des programmes NEXUS et CANPASS – Bateaux privés des navires de plaisance où la notification à l'avance est faite au CDT (30 min à 4 heures) avant l'arrivée du navire au Canada.

Une vérification intégrale est requise pour toutes les arrivées de l'aviation générale afin d'évaluer visuellement la santé des voyageurs et de mettre en œuvre les procédures de contrôle renforcées pour les avions arrivant aux emplacements d'aéroport désignés où des ressources sont disponibles et capables de prendre en charge l'avion.

De plus, si l'entrée n'est pas autrement restreinte ou interdite par les décrets de l'ASPC ou l'ordonnance provisoire de Transports Canada, l'agent du CDT indiquera au pilote d'aviser tous les voyageurs à bord qu'ils doivent s'isoler pendant 14 jours à leur arrivée au Canada. L'ASF du CDT demandera ensuite au pilote de poser à tous les voyageurs à bord les questions suivantes :

Est-ce que vous, ainsi que tous les passagers à bord, disposez d'un logement où vous pouvez vous mettre en quarantaine pendant 14 jours?
- Si **OUI** – Passez à la question suivante.
- Si **NON** – Renvoi à un AQ et remise du document vert. (Code de référence : QO – Accom)

Y a-t-il des personnes vulnérables à l'endroit où vous, ou **tout passager à bord, prévoyez-vous mettre en quarantaine?**
- Si **OUI** – Renvoi à un AQ et remise d'un document vert. (Code de référence : QO – Vul)
- Si **NON** – Passez à la question suivante.





Votre lieu de quarantaine est-il un milieu de vie en groupe (p. ex., un foyer de groupe ou une résidence pour personnes âgées) ou héberge-t-il actuellement des familles différentes?

- Si **OUI** – Renvoi à l'AQ et remise d'un document vert. (Code de référence : AQ - MF)
- Si **NON** – Passez à la question suivante.

Pouvez-vous, ainsi que tous les passagers à bord, vous faire livrer de la nourriture, des médicaments ou d'autres produits essentiels à votre logement pendant la quarantaine?

- Si **OUI** – Le voyageur est libéré avec le document vert.
- Si **NON** – Renvoi à un AQ et remise d'un document vert. (Code de référence : QO – BN)

L'agent du CDT avisera également le pilote que Tous les voyageurs qui souhaitent entrer au Canada et qui devront être en quarantaine ou en isolement doivent porter un masque non médical ou un couvre-visage approprié. De plus, ils doivent indiquer que le pilote et tous les passagers doivent porter un couvre-visage approprié ou un masque non médical du point d'entrée jusqu'au lieu de quarantaine ou d'isolement, ou jusqu'à la résidence au Canada du voyageur. Si les voyageurs quittent le Canada avant la fin de la période de quarantaine / d'isolement, ils doivent porter un masque lorsqu'ils sont au Canada.

L'agent du CDT enverra par courriel à l'exploitant de l'avion la brochure VERTE de l'ASPC qui sera distribuée à tous les passagers et membres d'équipage à bord de l'avion.

Bateau de plaisance, motoneiges et véhicules – Non-membre

Les agents du CDT suivront le même processus que celui décrit ci-dessus en ce qui concerne l'aviation en général. Toutefois, l'interrogation et la reconnaissance de mise en quarantaine seront effectuées dès l'arrivée du moyen de transport au Canada, car il n'existe aucune obligation de préavis de non-membres qui arrivent à même ces moyens de transport.

Renvoi secondaire

En ce qui concerne tous les cas et modes de transport, s'il est établi qu'un voyageur à bord d'un moyen de transport entrant présente des signes de maladie associés au coronavirus (ou à toute autre maladie transmissible), l'agent du CDT fera un renvoi secondaire dans le système du CDT pour déterminer le filtrage pour la mise en quarantaine et il informera le surintendant au bureau de vérification responsable des renseignements relatifs au renvoi.

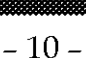
Bureaux de vérification

Le surintendant discutera de la situation avec les ASF qui seront présents à l'arrivée des vols et il s'assurera que les ASF disposent de l'équipement de protection individuelle approprié pour faire face à un voyageur potentiellement malade.

Les agents de vérification vérifieront **tous** les voyageurs pour détecter les signes de maladie transmissible et feront une référence à l'AQ en communiquant avec la ligne de notification de l'ASPC, si nécessaire.

De plus, les ASF responsables de la vérification demanderont à tous les voyageurs de confirmer qu'ils sont appelés à s'isoler durant 14 jours à leur arrivée au Canada et s'assurer que toutes les questions relatives à leur hébergement de quarantaine ont été posées aux voyageurs.






L'ASF avisera également le pilote que Tous les voyageurs qui souhaitent entrer au Canada et qui devront être en quarantaine ou en isolement doivent porter un masque non médical ou un couvre-visage approprié. De plus, ils doivent indiquer que le pilote et tous les passagers doivent porter un couvre-visage approprié ou un masque non médical du point d'entrée jusqu'au lieu de quarantaine ou d'isolement, ou jusqu'à la résidence au Canada du voyageur. Si les voyageurs quittent le Canada avant la fin de la période de quarantaine / d'isolement, ils doivent porter un masque lorsqu'ils sont au Canada.

Remarque : Les ASF responsables de la vérification devraient apporter plusieurs documents VERTS et ROUGES de l'ASPC afin de pouvoir les fournir aux voyageurs au besoin.

Si un agent de vérification n'est pas en mesure de rencontrer le moyen de transport, les détails de vérification du CDT seront mis à jour dans le SCDT et tout renseignement disponible obtenu auprès des exploitants d'aéronefs quant à la condition des voyageurs sera saisi pour le passage.

Remarque : Le CDT et les ASF responsables de la vérification devraient suivre les instructions contenues dans les bulletins d'information 2020 – HQ-AC-03-26-B, « Limiter les voyages non essentiels au Canada de citoyens américains et d'autres ressortissants étrangers arrivant des États-Unis (tous les modes) », et 2020 – HQ-AC-03-26, « Interdiction d'entrée au Canada pour certains ressortissants étrangers en provenance de tout pays autre que les États-Unis » pour le traitement des arrivées qui ne répondent pas aux exceptions des restrictions et interdictions d'entrée.

Mesures à prendre par les surintendants

Les surintendants doivent s'assurer que les agents de première ligne suivent les procédures décrites ci-dessus. Les surintendants veilleront à ce que les agents acquittent rapidement tous les renvois dans la demande de traitement secondaire.

Chaque jour, les données collectées manuellement seront fournies par chaque point d'entrée, où des mesures renforcées contre la COVID-19 sont mises en œuvre. Le rapport doit être présenté à la fin de la journée, au plus tard à 2 h, heure locale, pour toute la période précédente de 24 heures (de 0 h à 23 h 59), y compris les fins de semaine et les jours fériés. Les rapports du point d'entrée doivent être soumis aux centres d'opérations régionaux ou aux zones désignées raisonnables dans chaque région. Les renseignements seront compilés et transmis au Groupe de travail sur la COVID-19 et au Centre des opérations frontalières au plus tard à 6 h HAE.

1. Dépistage médical : Nombre de voyageurs qui ont répondu « oui » à la question : « Avez-vous actuellement de la toux, des difficultés à respirer ou sentez-vous faire de la fièvre? » ou qui semblent avoir des symptômes correspondant à la définition syndromique des cas de COVID-19.
2. Dépistage médical : Nombre de personnes renvoyées à un agent de quarantaine (AQ).
3. Dépistage médical : Nombre de voyageurs asymptomatiques renvoyés à un AQ parce qu'ils ne disposent pas d'un logement approprié pour la quarantaine.

Remarque : Un appel à la ligne de notification de l'ASPC au sujet d'un passager qui peut être malade ou qui a besoin d'une évaluation médicale par un AQ constitue un renvoi à un AQ et doit être signalé au COF.





Demandes de renseignements

Les agents peuvent traiter toute question par l'entremise des divisions régionales des services corporatifs et des programmes qui, au besoin, enverront un courriel à l'adresse générique du groupe de travail responsable du nouveau coronavirus : CBSA.Corona_Virus_TF-GT_virus_Corona.ASFC@cbsa-asfc.gc.ca.

Références :

2020-HQ-AC-03-25-B, Annexe A : ASPC – Collecte de coordonnées (Respect et surveillance)
2020-HQ-AC-03-26 : Interdiction pour certains ressortissants étrangers d'entrer au Canada de n'importe quel pays, sauf les États-Unis
2020-HQ-AC-03-26-B : Restrictions sur les voyages non essentiels au Canada de citoyens américains et d'autres ressortissants étrangers arrivant des États-Unis (tous les modes)
Annexe A : Restrictions et exemptions en matière d'entrée – Voyages essentiels (non discrétionnaires) et voyages non essentiels (discrétionnaires)
Annexe B : Déterminer si l'entrée sera à des fins discrétionnaires ou facultatives et si la personne est exemptée de l'auto isolement
Procédures opérationnelles normalisées sur la mise en quarantaine
2019-HQ-AC-05-15 : Modifications aux services de l'Agence de la santé publique du Canada (ASPC) sur la mise en quarantaine : nouvelles procédures d'avis de l'ASPC
Outil de travail : Rôle de l'ASF (agent de contrôle)
2020-HQ-AC-01-26 : Avis de santé au travail : nouveau coronavirus
2020 – HQ-AC-02-08-B : Signalement – nouveau coronavirus (nCoV-2019)
Bulletin opérationnel – Modifications réglementaires visant à mettre en œuvre les interdictions de voyager en réponse à la pandémie de COVID-19
Bulletin opérationnel – Réactions à la COVID-19 – Renvois temporaires vers les États-Unis pour les ressortissants étrangers qui demandent la protection à titre de réfugié

Émis par : Le Groupe de travail sur le nouveau coronavirus



From: Larose, Charlene <Charlene.Larose@cbsa-asfc.gc.ca>
Sent: March 24, 2020 3:47 PM
To: Bickford, Alan <Alan.Bickford@cbsa-asfc.gc.ca>
Subject: FW: Assurances - REVISED

From: Dakalbab, Talal <Talal.Dakalbab@cbsa-asfc.gc.ca>
Sent: March 24, 2020 3:41 PM
To: Larose, Charlene <Charlene.Larose@cbsa-asfc.gc.ca>
Subject: TR: Assurances - REVISED

Talal
613-946-3183

De : Thompson, Kathy <Kathy.Thompson@cbsa-asfc.gc.ca>
Envoyé : 24 mars 2020 10:10
À : Walsh, Eric: DFAIT / MAECI <eric.walsh@international.gc.ca>
Cc : Grant, Michael: DFAIT / MAECI <michael.grant@international.gc.ca>; Kessel, Alan: DFAIT / MAECI <alan.kessel@international.gc.ca>; Aumais, Louis-Martin: DFAIT / MAECI <louis-martin.aumais@international.gc.ca>; Husain, Masud: DFAIT / MAECI <masud.husain@international.gc.ca>; jennifer.lutfallah@cbsa-afsc.gc.ca; Dakalbab, Talal <Talal.Dakalbab@cbsa-asfc.gc.ca>
Objet : Re: Assurances - REVISED

Thanks Eric

Sent from my iPhone

On Mar 24, 2020, at 9:34 AM, "Eric.Walsh@international.gc.ca" <Eric.Walsh@international.gc.ca> wrote:

All – just off the phone with U.S. Embassy chargé [redacted] who informs we (GAC) should receive the U.S. proposed text sometime late morning. Will circulate to this group (GAC/CBSA) immediately upon receipt. Eric

From: Grant, Michael -NGM <Michael.Grant@international.gc.ca>
Sent: March-24-20 9:13 AM
To: Kessel, Alan -JFM <Alan.Kessel@international.gc.ca>
Cc: Aumais, Louis-Martin -JLA <Louis-Martin.Aumais@international.gc.ca>; Husain, Masud -JLD <Masud.Husain@international.gc.ca>; Walsh, Eric - NGD-NND <Eric.Walsh@international.gc.ca>
Subject: Fwd: Assurances - REVISED

Alan - see below. Grateful views. Thanks

Begin forwarded message:

From: "Thompson, Kathy" <Kathy.Thompson@cbsa-asfc.gc.ca>
Date: March 24, 2020 at 9:10:14 AM EDT
To: "Grant, Michael -NGM" <Michael.Grant@international.gc.ca>
Cc: "Lutfallah, Jennifer" <Jennifer.Lutfallah@cbsa-asfc.gc.ca>, "Dakalbab, Talal" <Talal.Dakalbab@cbsa-asfc.gc.ca>
Subject: FW: Assurances - REVISED

Hi Michael,

Before we revise/finalize, we would like to ensure that the last paragraph is mutual, in keeping with the form of the rest of the document

Thanks,
Kathy

From: Thompson, Kathy <Kathy.Thompson@cbsa-asfc.gc.ca>
Sent: March 23, 2020 9:40 AM
To: Grant, Michael: DFAIT / MAECI <michael.grant@international.gc.ca>
Cc: Walsh, Eric: DFAIT / MAECI <eric.walsh@international.gc.ca>; Laflamme, Edith <Edith.Laflamme@cbsa-asfc.gc.ca>
Subject: Re: Assurances - REVISED

Will resend

Sent from my iPhone

On Mar 23, 2020, at 9:34 AM, "Michael.Grant@international.gc.ca" <Michael.Grant@international.gc.ca> wrote:

Kathy - I see that the version you sent below includes some embedded comments. Do you have a clean final version (or as it stands)? Thanks.

On Mar 23, 2020, at 8:15 AM, Thompson, Kathy <Kathy.Thompson@cbsa-asfc.gc.ca> wrote:

Thank you

Sent from my iPhone

On Mar 23, 2020, at 8:08 AM, "Michael.Grant@international.gc.ca" <Michael.Grant@international.gc.ca> wrote:

ok we'll prepare the note and check back with you before hitting send

On Mar 23, 2020, at 8:06 AM, Thompson, Kathy <Kathy.Thompson@cbsa-asfc.gc.ca> wrote:

Hi Michael

Attached is the document I shared with Valerie yesterday; I was hoping to get feedback from her before we sent it over formally for we could massage it, as required. I would suggest you send it as ser our below, thank you.

Kathy

Sent from my iPhone

Begin forwarded message:

From: "Thompson, Kathy" <Kathy.Thompson@cbsa-asfc.gc.ca>
Date: March 22, 2020 at 4:40:00 PM EDT
To: ıq.dhs.gov>
Cc: CBP.DHS.GOV>, "Lutfallah, Jennifer" <Jennifer.Lutfallah@cbsa-asfc.gc.ca>, "Dakalbab, Talal" <Talal.Dakalbab@cbsa-asfc.gc.ca>
Subject: Assurances - REVISED

Good afternoon Valerie

Based on our discussion yesterday, and my recent discussion with this afternoon, I have revised the document I sent on Friday March 20.

Best regards,

Kathy
Ps: I am available this evening for a telephone call, should you wish to discuss further.

From: hq.dhs.gov>
Sent: March 21, 2020 7:27 PM
To: Thompson, Kathy <Kathy.Thompson@cbsa-asfc.gc.ca>
Subject: RE: Canada's direct back process

Kathy, I should have said thank you for this earlier – thank you!

From: Thompson, Kathy <Kathy.Thompson@cbsa-asfc.gc.ca>
Sent: Saturday, March 21, 2020 1:18 PM
To hq.dhs.gov>
Subject: Canada's direct back process

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact your component SOC with questions or concerns.

Hi

As per our discussion, I hope the description below is helpful. Look forward to hearing from you later today.

Thank you,

Kathy

From: Larose, Charlene <Charlene.Larose@cbsa-asfc.gc.ca>
Sent: March 24, 2020 3:55 PM
To: Bickford, Alan <Alan.Bickford@cbsa-asfc.gc.ca>
Subject: FW: Assurances

From: Dakalbab, Talal <Talal.Dakalbab@cbsa-asfc.gc.ca>
Sent: March 23, 2020 8:11 PM
To: Larose, Charlene <Charlene.Larose@cbsa-asfc.gc.ca>
Subject: Fwd: Assurances

More info for TPs.

Talal Dakalbab
Director General
International Policy and Partnerships
Strategic Policy Branch
Canada Border Services Agency | Government of Canada
Talal.Dakalbab@cbsa-asfc.gc.ca | Tel: 613-946-3183

Directeur général
Politiques internationales et partenariats
Direction générale de la politique stratégique
Agence des services frontaliers du Canada | Gouvernement du Canada
Talal.Dakalbab@cbsa-asfc.gc.ca | Tél : 613-946-3183

Begin forwarded message:

From: "Thompson, Kathy" <Kathy.Thompson@cbsa-asfc.gc.ca>
Date: March 23, 2020 at 8:09:58 PM EDT
To: "Dakalbab, Talal" <Talal.Dakalbab@cbsa-asfc.gc.ca>
Cc: "Laflamme, Edith" <Edith.Laflamme@cbsa-asfc.gc.ca>
Subject: Fwd: Assurances

Sorry thought you were on this thread

Sent from my iPhone

Begin forwarded message:

Canada Border Services Agency | Agence des services frontaliers du Canada



FOR CBSA EYES ONLY

COVID-19 Prohibition of Entry into Canada – Number 2 FAQs
Guidance for Liaison Officers

Q1: When does this ban take effect?
A1: The travel ban comes into effect on March 21, 2020 at 12:01am EDT and ends on April 21, 2020 at 12:00pm (noon) EDT.

Q2: What does this ban cover?
A2: This ban applies to entry to Canada by foreign nationals from the United States for any optional or discretionary reason. This ban also applies to people entering Canada for the purpose of claiming refugee status and anyone displaying symptoms of Covid-19.

Q3: Does this applies to all foreign nationals?
A3: No, permanent residents are not affected by this ban. All other foreign nationals, including TRV holders and stateless persons.

Q4: What is considered "optional or discretionary reason"?
A4: Tourism, recreation and entertainment are considered optional or discretionary.

Q5: Are there any exceptions?
A5: Yes, there are. The ban does not apply to:
- Anyone registered as an Indian under the *Indian Act;*
- Anyone the Chief Health Officer deems of no risk to public health;
- Anyone who has already been granted protected person status under IRPA; and
- Anyone arriving by air, if the scheduled arrival time was before 11:59am EDT on March 21, 2020.
  - However, the existing travel ban remains in effect; the only foreign nationals who may enter Canada by air are those who are coming from the US who have been in the US or Canada continuously for at least 14 days prior to their arrival in Canada.

Q6: What happens if a foreign national arrives at the border and tries to make a refugee claim?
A6: They will be refused entry and have to return to the last point of departure.

Q7: If someone coming from the US tries to make a refugee claim and gets turned back, will they be allowed back into the US?
A7: Yes, for the duration of this ban, the US will accept all persons refused entry to Canada from the US.

Q8: Are there any exceptions to the ban on refugee claims?



A8: Yes, as follows:

- US nationals;
- Parents or legal guardians of any US nationals under the age of 18;
- Anyone
  - under the age of 18 and not accompanied by a parent or legal guardian;
  - has no spouse or common-law partner; and
  - has no parent of legal guardian.



FOR CBSA EYES ONLY

COVID-19 TRAVEL BAN FAQs
Guidance for Liaison Officers

This document is used to provide additional guidance to Liaison Officers related to:
Interim Order 3
Order in Council 7
Order in Council 8
Order in Council 9

Additional guidance will be provided on new Orders as they are signed by the appropriate authority.

Given the growing complexity of the Orders being provided to LOs, we have developed two dashboard to be used as your main guidance tool but general questions, not related to a specific ban or related to definitions will be kept in this document.

GENERAL – Questions and Answers:

G – Q1: Are unaccompanied minors allowed to board?
G – A1: Yes, if they are exempted or if they hold a consular letter.

G – Q2: What recourse do people have if they have previously booked tickets and are no longer allowed to board flights to Canada?
G – A2: The LO should refer the passenger to the airline.

G – Q3: What role do CBSA LOs play in keeping non-citizens and non-exempted travellers from boarding flights to Canada?
G – A3: LOs operate in an advisory capacity to airlines and immigration partners on passenger documentation. They will work remotely with airlines and other partners responsible for document screening of Canada-bound travellers to ensure that passengers seeking to board a flight to Canada are properly documented. LOs will not be actively seeking out travellers who are not eligible to fly to Canada under the new ban. The final decision on whether to board a traveller rests with the airline. We expect LOs to actively monitor their business lines to support airlines as we transition to the new border measures.

G – Q4: Will LOs be identifying symptomatic passengers?
G – Q4: No. CBSA LOs are not medical professionals. Air operators will be required to do a basic health assessment of all air travellers before they board the flight based on guidance from the Public Health Agency of Canada. This would include the operator asking simple health questions, looking for visible signs of illness prior to boarding, and possibly referring the traveller for a further medical assessment.



FOR CBSA EYES ONLY

In the event the traveller presents COVID-19 symptoms, the air carrier will be required to refuse to board the passenger for travel for a period of 14 days. Should the traveller still wish to board a flight to Canada after 14 days, they must demonstrate that they are non-symptomatic, or have a medical certificate that confirms the patient does not carry the virus.

G – Q5: Will LOs be expected to facilitate Canadians with no/expired documents?
G – A5: Operational Bulletin PRG-2013-26 will continue to apply regarding facilitation of Canadians. It will remain up to the LO's judgement whether to recommend to an airline that a person is properly documented. In simple terms, if an LO is satisfied that a traveller is a Canadian citizen, they should facilitate the traveller. The port of entry should be notified of the inbound travellers to avoid complications on arrival.

G – Q6: What role does the Air Carrier Support Centre (ACSC) play in enforcing the restrictions?
G – A6: The role of the ACSC remains a supportive one to airlines. ACSC officers are expected to familiarize themselves with the travels bans and with these Qs&As and to provide guidance to airlines on the application of the restrictions. Officers from the ACSC should only refer the airlines to LOs if they cannot answer a question with the information they have, or if more interpretation is needed.

G – Q7: Will CBSA LOs be working out of airports more than usual to assist airlines?
G – A7: Guidance from managers and local security programs should be sought and any local travel restrictions/telework advisories currently in place at mission should be respected. Additionally, LOs should refer to Government of Canada advisories and policies related to essential work.

G – Q8: How long will these restrictions be in place?
G – A8: These restrictions are subject to change, LOs will be advised accordingly.

G – Q9: Will the CBSA be issuing direct formal messaging to airlines?
G – A9: Transport Canada is the lead interlocutor for the Government of Canada with airlines. The CBSA may transmit formal messages via Transport Canada.

G – Q10: Is overtime (OT) approved for dealing with queries and cases relating to this regulation?
G – A10: OT will be approved as per collective agreements in place. Internal order (IO) number 724512 has been established for work relating to COVID-19. Please consult your manager for additional information.

G – Q11: Do we have lines for dealing with Consular and IRCC at mission?
G – A11: As Government of Canada partners, GAC and IRCC have lines already relating to these restrictions. Should CBSA Communications provide speaking lines, they will be transmitted to Liaison Officers.



FOR CBSA EYES ONLY

G – Q12: Will this ban impact removals?
G – A12: Removals have been stopped. Note that the removal of serious criminal cases may continue but this would be via exception only, following a case-by-case assessment by senior staff. Clients who currently have removals scheduled should expect to hear from the CBSA in the coming days to confirm cancellation of removal and be advised of next steps. Those who wish to depart Canada voluntarily despite the current global pandemic, may do so.

G – Q13: Will PRs with expired or missing PR cards be allowed to travel?
G – A13: LOs should use their discretion and facilitate whenever possible. If an LO is satisfied that a traveller with an expired PR card or no PR card on hand is a *bona fide* PR, facilitation should be encouraged, especially if the expiry date is recent and after verifying the identity of the individual.

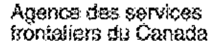
G – Q14. Can a letter from a hospital be accepted instead of a letter from a consular officer?
G – A14. No.

G – Q15: Are Transit Without Visa (TWOV) / China Transit Program (CTP) passengers exempted from the travel ban?
G – A15: Yes, however the following must be noted:
- The United States (US) has instituted travel bans on any non-US citizens or US PR travellers who have been in certain countries in the past 14 days.
- Any TWOV or CTP passengers attempting to transit Canada to the US who have been in any of the designated countries will not be allowed to continue on to the US.
- As with other transit passengers under the ban, they cannot leave the airport-their flights must be continuous.

G – Q16: Are foreign nationals in possession of a valid immigrant visa (landing papers), who are seeking to become a permanent resident in Canada, allowed to board a flight to Canada?
G – A16: at this time, foreign nationals in possession of a valid immigrant visa/landing papers are not allowed to board unless they also meet the criteria of one of the exemptions above.

Additionally, you should encourage students and temporary workers to monitor IRCC Government of Canada website to ensure they have the most up-to-date information of when they may be allowed to come to Canada for the purposes of studying and/or working as the situation is fluid.

G – Q17: Are all transiting passengers allowed to board?
G – A17: No, only direct transiting passengers should be allowed to board (i.e. passengers whose transit allows them to remain in the same airport). Terminal to terminal transfer is allowed.





G – Q18: How do I determine what is considered "non-essential" and essential travel?
G – A18: Non-essential travel is defined as travel for the purposes of tourism, recreation and entertainment, but not limited to these specific examples.

Essential travel is defined, but is not limited to, travel for the purposes of: economic services and supply chains; critical infrastructure support; health (immediate medical care), safety and security; transiting through Canada for essential purposes; indigenous communities; cross-border employment; tending to family matters for essential purposes; and shopping for essential goods such as medication or basic needs, work and study.

G – Q19: Who is considered to be an immediate family member according to Order 6?
G – A19: To be considered an immediate family member you must be:

- (1) spouse/common-law partner of the person;
- (2) a dependent child of the person or of their spouse/common-law partner;
- (3) a dependent child of a dependent child of the person or their spouse/common-law partner;
- (4) a parent/step-parent of the person or of their spouse/common-law partner; or
- (5) the guardian/tutor of a person.

G – Q20: Will immediate family members not already in possession of a Temporary Resident Visa be permitted to apply for one?
G – A20: Yes, note that Immigration, Refugees and Citizenship Canada offices have limited operations but remain open.

G – Q21: How extensively should Liaison Officers (LO) attempt to verify relationship?
G – A21: In terms of verification, due diligence should be performed. If an LO is contacted by an air carrier for advice, and is satisfied of the relationship through passenger interview or any documentation presented (birth certificates, marriage certificates, bills, etc.), no further verification is needed. If there are any doubts or concerns, or there is no supporting documentation presented, GCMS checks could be conducted.

G – Q22: What is the age cut-off for dependent children?
G – A22: To be considered a dependent child (**OR** a dependent child of a dependent child), the child must be:

- 21 years old or younger and not have a spouse or common-law partner; or
- 22 years old or older, have been financially dependent on the parent(s) since before turning 22, and be physically and/or mentally unable to support him or herself financially.

G – Q23: Does the Canadian citizen or PR need to be accompanying the immediate family member to be exempt?
G – A23: No, immediate family members do not need to be accompanied by the Canadian or PR.



FOR CBSA EYES ONLY

G – Q24: Are deadheading air crew and seafarers entering Canada to join a marine vessel as crew members included in the exemptions?
G – A24: Yes.

G – Q25: Does the ban apply to diplomats?
G – A25: Diplomats that have been issued an accreditation counterfoil by GAC are exempted. All others are subject to the travel ban.

G – Q26: How can you determine if some is a guardian or tutor?
G – A26: in order to qualify as a guardian/tutor, they should be able to demonstrate that they habitually reside at the same address as the minor.

G – Q27: Are the immediate family members of someone with a student or work permit allowed to come to Canada?
G – A27: No, family members of workers and students are not exempt unless they are also immediate family members of Canadian Citizen or Permanent Resident, or unless family reunification clause applies (with written authorization from GAC/IRCC).

Travel from anywhere in the WORLD, other than the US, to Canada

Pre-boarding obligations?	Are travellers allowed to transit through Canada?	Who is allowed to come to Canada?	What are travellers obligations once they enter Canada?
Which order applies? • **Interim Order 3 applies. Sections 9 to 13.** **What are the obligations?** **Yes, airlines must:** • (1) Conduct, at the boarding gate, a health check of every person prior to boarding and must ask additional questions if the travellers is exhibiting a fever, cough, and breathing difficulty; • (2) Ask the traveller these questions, if they exhibit those symptoms: • Has the traveller been denied boarding in the past 14 days due to a medical reason related to COVID-19. • (3) Advise any person not to provide answers to the health check or the additional questions in a way they know to be false or misleading; • (4) Not board a person if their answers to the health questions indicate they exhibit: • A fever and a cough, or • A fever and breathing difficulties; • (5) Not board a person if the airline observes, during the health check, that the person is exhibiting: • A fever and a cough, or • A fever and breathing difficulties; • (6) Deny boarding if the passenger tells the airline that they **HAVE** been denied boarding for reason related to COVID-19 in the past 14 days; and	**Which order applies?** • **Interim Order 3 applies.** **Are travellers allowed to transit through Canada?** • **Yes**, as long as the foreign national is not showing symptoms of COVID-19 (a fever and a cough; or a fever and difficulty breathing), AND DOES NOT REQUIRE TO CLEAR CBSA CUSTOMS, they are allowed to transit from international-to-international in Canada. ○ Traveller must remain in secure international transit zone/area, which implies no transfers between airports or airport terminals for connecting flight.	**Which order applies?** • **Order 7 applies.** **Who is allowed to come to Canada under Order 7?** • Immediate family member of Canadian citizens and permanent residents; • Crew member; • Accredited diplomat and their immediate family members, including representative from the United Nations and international organizations for which Canada is part of; • A French citizen who resides in St. Pierre and Miquelon (SPM) who has only been in SPM, the U.S. or Canada during the period of 14 days before the day on which they board; • Person or any person in class of persons who, in the opinion of the Chief Public Health Officer: • does not pose a risk of significant harm to the public health, or • will provide an essential service while in Canada; • A person who arrives by means of a vessel, if the vessel departed before 00:00:01 am Eastern Daylight Time on March 21, 2020 and had a scheduled destination of Canada upon its departure; • Person who is authorized, in writing, by a consular officer of the Government of Canada to enter Canada for the purpose of reuniting immediate family members; • Foreign national travelling at the invitation of the Minister of Health for the purpose of assisting in the COVID-19 response; • Person who arrives by means of an aircraft operated by the Canadian Forces or the Department of National Defence; • Member of the Canadian military, visiting forces, and their immediate family members; • Person whose presence in Canada, in the opinion of the Minister of Foreign Affairs, Immigration, or Public Safety, is in the national interest; • A person who holds a valid study or work permit in Canada; • A person whose application for a **work permit** in Canada was approved, and who received written notice but has not yet been issued the permit; • A person whose application for a **study permit** in Canada was approved, and who received written notice of the approval before noon (EDT) on March 18, 2020 but has not yet been issued the permit; • a student in a health field, including as a medical elective or clinical clerk at a medical teaching institution in Canada, for the primary purpose of acquiring training, if they have written approval from the body that regulates that field; • A provider of emergency services, including medical services, for the protection or preservation of life or property; • A licensed health care professional with proof of employment in Canada; • A person who seeks to enter Canada for the purpose of delivering, maintaining, or repairing medically-necessary equipment or devices; • a person who seeks to enter Canada for the purpose of making medical deliveries of cells, blood and blood products, tissues, organs or other body parts, that are required for patient care in Canada during or within a reasonable period of time after the expiry of the Order; • A person whose application for permanent residence in Canada was approved, and who received written notice of the approval before noon (EDT) on March 18, 2020 but has not yet become a permanent resident; and • A worker in the marine transportation sector who is essential for the movement of goods by vessel, and who seeks to enter Canada for the purpose of performing their duties in that sector.	**Which order applies?** • **Order 8 applies.** **What are travellers obligations once they enter Canada?** **Travellers must:** • Isolate themselves, by order of law, without delay in accordance with instructions provided by a BSO, screening officer, or a quarantine officer and remain in isolation until the expiry of the 14-day period that begins on the day they enter Canada; and • Monitor for signs and symptoms of COVID-19 until the expiry of the 14-day period, and if they develop any signs or symptoms of COVID-19, follow instructions provided by the public health authority specified by a screening officer or quarantine officer (i.e. report their signs and symptoms to local health officials). **Are there exceptions to these obligations? Yes.** • Crew members; • Foreign national travelling at the invitation of the GoC for the purpose of assisting in the COVID-19 response or whose entry would be in the national interest; • Member of the Canadian military or visiting forces; • Person or any person in class of persons who, in the opinion of the Chief Public Health Officer does not pose a risk of significant harm to the public health, or will provide an essential service while in Canada, including: ○ Persons making necessary medical deliveries during or within a reasonable period of time of the duration of the Order or within reasonable time after that, of cells, blood and blood products, tissues, organs, or other similar lifesaving human body parts, that are required for patient care in Canada; ○ Asymptomatic persons in the trade and transportation sector who are important for the movement of goods and people, including truck drivers and crew on any plane, train or marine vessel, and that cross the border while performing their duties or for the purpose of performing their duties; ○ Asymptomatic persons who have to cross the border regularly to go to work, including in the health care sector or critical infrastructure workers for the purpose of performing their duties; and

• (7) Deny boarding if a traveller (who is a competent adult) refuses to answer question if they have the symptoms outlined in question 1 and if they have been denied boarding in the past 14 days (questions 2). **<u>Are there additional obligations?</u>** **Yes, airlines must:** • Not board a person who either reported or exhibited a fever and a cough, or a fever and breathing difficulties, during their original boarding (if 14 days have not passed since) unless the person has a medical certificate stating that the symptoms are **<u>NOT</u>** related to COVID-19.		**<u>Are there exemptions under Order 7?</u> Yes, if:** • A foreign national can only enter Canada if they have: (1) essential business, AND (2) have no COVID-19 symptoms (I.e. a fever and cough, OR a fever and breathing difficulties); and • Any foreign national exhibits COVID-19 symptoms (I.e. a fever and cough, OR a fever and breathing difficulties) should not be allowed to board a flight or vessel to Canada or enter Canada (as per Interim Order 3). **<u>How do I determine what is considered "non-essential" and essential travel?</u>** • Non-essential travel is broadly defined as travel for the purposes of tourism, recreation and entertainment, but not limited to these specific examples. • Essential travel is defined, but is not limited to, travel for the purposes of: economic services and supply chains; critical infrastructure support; health (immediate medical care), safety and security; transiting through Canada for essential purposes; indigenous communities; cross-border employment; tending to family matters for essential purposes; shopping for essential goods such as medication or basic needs, **<u>AND</u>** to work and study with appropriate documentation. **<u>Is anyone completely exempt from this order?</u> Yes.** • Anyone registered as an Indian under the Indian Act; and • Protected Person presenting a Convention Refugee travel document. **<u>When does Order 7 end?</u>** • June 30, 2020.	○ Asymptomatic persons who have to cross the border to provide or receive essential services, including emergency responders and personnel providing essential services to Canadians related to the COVID-19 outbreak. • Person whose presence in Canada, in the opinion of the Minister of Foreign Affairs, Immigration, or Public Safety, is in the national interest; • A provider of emergency services, including medical services, for the protection or preservation of life or property; • A person who enters Canada for the purposes of providing medical care or transporting essential medical equipment, supplies, or means of treatment; or • A person who enters Canada for the purpose of receiving essential medical services or treatment, **<u>OTHER</u>** than services or treatments related to COVID-19. ***Please note that LOs should also advise airlines and travellers that people coming to Canada should also be mindful of provincial border closures as this could impact their full return home.

Travel from the United States to Canada			
Pre-boarding obligations?	Are travellers allowed to transit through Canada?	Which travellers are allowed to come to Canada?	What are travellers obligations once they enter Canada?
Which order applies? • **Interim Order 3 applies. Sections 5 to 8.** **What are the obligations?** **Foreign nationals must:** • Confirm to the airline that have read Order 9 and certify, to the best of their ability, that they are eligible to travel to Canada; and • Not provide a confirmation under false or misleading pretenses. **Airlines must:** • Notify every foreign national that they may be denied entry to Canada if they are not exempt under Order 9; • Not board a foreign national, who is a competent adult, on a flight to Canada if they do not provide confirmation that they are eligible to come to Canada; • Conduct, at the boarding gate, a health check of every person prior to boarding; and • Not board an individual who is exhibiting the following symptoms: a fever and a cough; or a fever and difficulty breathing.	**Which order applies?** • **Interim Order 3 applies.** **Are travellers allowed to transit through Canada?** • **Yes**, as long as the foreign national is not showing symptoms of COVID-19 (a fever and a cough; or a fever and difficulty breathing), AND DOES NOT REQUIRE TO CLEAR CBSA CUSTOMS, they are allowed to transit from international-to-international in Canada. o Traveller must remain in secure international transit zone/area, which implies no transfers between airports or airport terminals for connecting flight.	**Which order applies?** • **Order 9 applies.** **Who is banned from coming to Canada under Order 9?** • Order 9 bans entry by all foreign nationals travelling (all modes) from the US to Canada who: o Exhibit signs or symptoms of COVID-19, either a fever and a cough, or a fever and breathing difficulties; o Seek to enter for any optional or discretionary reason (non-essential); o Seek to enter, unless for an essential reason, is prohibited from entering Canada if they have been outside Canada and the United States during the period of 14 days before the day on which they seek to enter Canada; or o Seek to enter Canada for the purpose of claiming refugee status. **Are there exceptions to Order 9? Yes. Exceptions to this ban are:** • Immediate family member of Canadian citizens and permanent residents; • Crew member; • Accredited diplomat and their immediate family members, including representative from the United Nations and international organizations for which Canada is part of; • A French citizen who resides in St. Pierre and Miquelon (SPM) who has only been in SPM, the U.S. or Canada during the period of 14 days before the day on which they board; • Person or any person in class of persons who, in the opinion of the Chief Public Health Officer: o does not pose a risk of significant harm to the public health, or o will provide an essential service while in Canada; • A person who arrives by means of a vessel, if the vessel departed before 00:00:01 am Eastern Daylight Time on March 21, 2020 and had a scheduled destination of Canada upon its departure; • Person who is authorized, in writing, by a consular officer of the Government of Canada to enter Canada for the purpose of reuniting immediate family members; • Foreign national travelling at the invitation of the Minister of Health for the purpose of assisting in the COVID-19 response; • Person who arrives by means of an aircraft operated by the Canadian Forces or the Department of National Defence; • Member of the Canadian military, visiting forces, and their immediate family members; • Person whose presence in Canada, in the opinion of the Minister of Foreign Affairs, Immigration, or Public Safety, is in the national interest; • A person who holds a valid study or work permit in Canada; • A person whose application for a **work permit** in Canada was approved, and who received written notice but has not yet been issued the permit; • A person whose application for a **study permit** in Canada was approved, and who received written notice of the approval before noon (EDT) on March 18, 2020 but has not yet been issued the permit; • a student in a health field, including as a medical elective or clinical clerk at a medical teaching institution in Canada, for the primary purpose of acquiring training, if they have written approval from the body that regulates that field; • A provider of emergency services, including medical services, for the protection or preservation of life or property; • A licensed health care professional with proof of employment in Canada; • A person who seeks to enter Canada for the purpose of delivering, maintaining, or repairing medically-necessary equipment or devices;	**Which order applies?** • **Order 8 applies.** **What are travellers obligations once they enter Canada?** **Travellers must:** • Isolate themselves, by order of law, without delay in accordance with instructions provided by a BSO, screening officer, or a quarantine officer and remain in isolation until the expiry of the 14-day period that begins on the day they enter Canada; and • Monitor for signs and symptoms of COVID-19 until the expiry of the 14-day period, and if they develop any signs or symptoms of COVID-19, follow instructions provided by the public health authority specified by a screening officer or quarantine officer (i.e. report their signs and symptoms to local health officials). **Are there exceptions to these obligations? Yes.** • Crew members; • Foreign national travelling at the invitation of the GoC for the purpose of assisting in the COVID-19 response or whose entry would be in the national interest; • Member of the Canadian military or visiting forces; • Person or any person in class of persons who, in the opinion of the Chief Public Health Officer does not pose a risk of significant harm to the public health, or will provide an essential service while in Canada, including: o Persons making necessary medical deliveries during or within a reasonable period of time of the duration of the Order or within reasonable time after that, of cells, blood and blood products, tissues, organs, or other similar lifesaving human body parts, that are required for patient care in Canada; o Asymptomatic persons in the trade and transportation sector who are important for the movement of goods and people, including truck drivers and crew on any plane, train or marine vessel, and that cross the border while performing their duties or for the purpose of performing their duties; o Asymptomatic persons who have to cross the border regularly to go to work, including in the health care sector or critical infrastructure workers for the purpose of performing their duties; and o Asymptomatic persons who have to cross the border to provide or receive essential services, including emergency responders and personnel providing

		• a person who seeks to enter Canada for the purpose of making medical deliveries of cells, blood and blood products, tissues, organs or other body parts, that are required for patient care in Canada during or within a reasonable period of time after the expiry of the Order; • A person whose application for permanent residence in Canada was approved, and who received written notice of the approval before noon (EDT) on March 18, 2020 but has not yet become a permanent resident; and • A worker in the marine transportation sector who is essential for the movement of goods by vessel, and who seeks to enter Canada for the purpose of performing their duties in that sector. *****Please note that foreign nationals can only enter Canada from the US if they have:** (1) essential business, (2) have been residing in the US or Canada in the past 14 days; **AND** (3) have no COVID-19 symptoms (I.e. a fever and cough, **OR** a fever and breathing difficulties). **How do I determine what is considered "non-essential" and essential travel?** • Non-essential travel is broadly defined as travel for the purposes of tourism, recreation and entertainment, but not limited to these specific examples. • Essential travel is defined, but is not limited to, travel for the purposes of: economic services and supply chains; critical infrastructure support; health (immediate medical care), safety and security; transiting through Canada for essential purposes; indigenous communities; cross-border employment; tending to family matters for essential purposes; shopping for essential goods such as medication or basic needs, **AND** to work and study with appropriate documentation. **Under Order 9, what happens if a foreign national arrives at the border to make a refugee claim?** • **If the foreign national is coming from the US** to make their claim in Canada, they will be **DIRECTED BACK** to the US and will be allowed to remain in the US for the duration of the Order 9 travel ban. They will be directed to check a web site which will instruct them on when the prohibition has been lifted and they may return to Canada to make their claim. **Are there exceptions to this ban on refugee claims?** Yes, they are as follows: • US nationals can make a refugee claim **IF** claiming persecution by the US; • Parents or legal guardians of any US nationals under the age of 18 can make a refugee claim; and • Anyone who meets the following **three** criteria can make a refugee claim: o They are under the age of 18 and are not accompanied by a parent or legal guardian; o They have no spouse or common-law partner; and o They have no parents or legal guardian. **Further to refugee claim exemption 2, can a foreign national who is not a US national, but does have a minor child that is a US national, be permitted to enter Canada to make a refugee claim?** • Yes. For example, a Mexican mother of a 15-year-old US national **CAN** enter Canada to claim refugee status. **Is anyone completely exempt from this order? Yes.** • Anyone registered as an Indian under the Indian Act; • Person or any person in class of persons who, in the opinion of the Chief Public Health Officer does not pose a risk of significant harm to the public health; and • Protected Person presenting a Convention Refugee travel document. **When does Order 9 end?** • April 21, 2020.	essential services to Canadians related to the COVID-19 outbreak. • Person whose presence in Canada, in the opinion of the Minister of Foreign Affairs, Immigration, or Public Safety, is in the national interest; • A provider of emergency services, including medical services, for the protection or preservation of life or property; • A person who enters Canada for the purposes of providing medical care or transporting essential medical equipment, supplies, or means of treatment; or • A person who enters Canada for the purpose of receiving essential medical services or treatment, **OTHER** than services or treatments related to COVID-19. ***Please note that LOs should also advise airlines and travellers that people coming to Canada should also be mindful of provincial border closures as this could impact their full return home.

Bitsene, Jonathan

From:	Dakalbab, Talal
Sent:	Sunday, March 22, 2020 1:52 PM
To:	CBSA-ASFC_International_Networks-Réseaux_Internationaux
Cc:	CBSA.O Strategic-IR LOA / Strategique-RI AAL O.ASFC
Subject:	COVID-19: Travel Restrictions Notice and Q&As / Avis de restriction de voyage et Q-R
Attachments:	FINAL Order 5-6 Ban Qs&As.pdf; FINAL ENG-FR Order 5 One-Pager.pdf; FINAL ENG-FR Order 6 One-Pager.pdf

Hello,

In response to the COVID-19 related travel restrictions to Canada, please find attached a one-pager to guide Liaison Officers in the application of these restrictions, and can be shared with airlines.

Additionally, we have attached a revised Q&A package, **for internal use only**, to answer your questions related to Order 5/6 and general questions related to COVID-19 travel restrictions.

If you have questions or require additional information please let us know and we will action accordingly.

Thank you,

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En réponse aux restrictions de voyage liées au COVID-19 au Canada, veuillez trouver ci-joint un avis pour guider les agents de liaison dans l'application de ces restrictions, et peut être partagé avec les compagnies aériennes.

De plus, veuillez trouver ci-joint un ensemble de questions et réponses révisé, **pour usage interne seulement**, pour répondre à vos questions relatives à la commande 5/6 et aux questions générales relatives aux restrictions de voyage COVID-19.

Laissez-moi savoir si vous avez des questions.

Merci.

Talal Dakalbab
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Strategic Policy Branch
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Directeur général
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Direction générale de la politique stratégique
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Canada Border Services Agency | Agence des services frontaliers du Canada



FOR CBSA EYES ONLY

COVID-19 TRAVEL BAN FAQs
Guidance for Liaison Officers

This document is used to provide guidance to Liaison Officers related to Order 5 and 6.

Additional guidance will be provided on new Orders as they are signed by the appropriate authority.

ORDER 5 – Questions and Answers:

Order in Council # 5-Minimizing the Risk of Exposure to COVID-19 in Canada (Prohibition of Entry into Canada from the United States)

- Order 5 came into effect on March 20, 2020 at 00:01 am EDT.

O5 – Q1: Who will allowed to enter Canada as per Order 5?
O5 – A1: Order 5 ban applies to entry to Canada in **all modes** by all foreign nationals travelling from the United States (US) for any optional or discretionary reason (non-essential). This prohibition also applies to people entering Canada for the purpose of claiming refugee status and anyone displaying symptoms of COVID-19.

Exceptions to this ban are:

- Anyone registered as an Indian under the *Indian Act*;
- Anyone the Chief Public Health Officer deems of no risk to public health; and
- Anyone who has already been granted protected person status under IRPA.

*****Please note that foreign nationals can only enter Canada from the US if they have:** (1) essential business, (2) have been residing in the US or Canada in the past 14 days; **AND** (3) have no COVID-19 symptoms (I.e. a fever and cough, **OR** a fever and breathing difficulties).

O5 – Q2: How do I determine what is considered "non-essential" and essential travel?
O5 – A2: Non-essential travel is broadly defined as travel for the purposes of tourism, recreation and entertainment, but not limited to these specific examples.

Essential travel is defined, but is not limited to, travel for the purposes of: economic services and supply chains; critical infrastructure support; health (immediate medical care), safety and security; transiting through Canada for essential purposes; indigenous communities; cross-border employment; tending to



family matters for essential purposes; shopping for essential goods such as medication or basic needs, **AND** to work and study with appropriate documentation.

O5 – Q3: Under Order 5, what happens if a foreign national arrives at the border to make a refugee claim?
O5 – A3: **If the foreign national is coming from the US** to make their claim in Canada, they will be **DIRECTED BACK** to the US and will be allowed to remain in the US for the duration of the Order 5 travel ban. They will be directed to check a web site which will instruct them on when the prohibition has been lifted and they may return to Canada to make their claim.

Are there exceptions to this ban on refugee claims? Yes, they are as follows:

1) US nationals can make a refugee claim **IF** claiming persecution by the US;
2) Parents or legal guardians of any US nationals under the age of 18 can make a refugee claim; and
3) Anyone who meets the following **three** criteria can make a refugee claim:
    - They are under the age of 18 and are not accompanied by a parent or legal guardian;
    - They have no spouse or common-law partner; and
    - They have no parents or legal guardian.

O5 – Q3B: Further to refugee claim exemption 2 (See Q3), can a foreign national who is not a US national, but does have a minor child that is a US national, be permitted to enter Canada to make a refugee claim?
O5 – A3B: Yes. For example, a Mexican mother of a 15-year-old US national **CAN** enter Canada to claim refugee status.

ORDER 6 – Questions and Answers:

#6-Interim Order to Prevent Certain Person from Boarding Flights to Canada due to COVID-19, No. 2

- Order 6 comes into effect March 22, 2020 as signed until June 30.

O6 – Q1: Does Order 6 repeal Order 4 or Order 5?
O6 – A1: Order 6 replaces Order 4 but **NOT** Order 5. However note that, Order 5 **and** Order 6 must apply **concurrently**.

When applying Order 5 and 6, you must be mindful of country of departure as different rules apply.

If travelling from the US (Order 5), they must travelling for essential reasons **(as defined in Q2 of the Order 5 section)** and not be exhibiting COVID-19 related symptoms.

If travelling from any other country in the world, please administer the following exemptions:

O6 – Q2: Are there exceptions to Order 6 prohibiting foreign nationals from entering Canada?
O6 – Q2: Yes, they are as follows:

A. Foreign national, including United States (US) citizens, who have been in the U.S. and Canada for more than 14 days (**as per Order 5**);
B. Immediate family member of Canadian citizens and permanent residents;
C. Person registered as an Indian under the *Indian Act*;
D. Person who is authorized, in writing, by a consular officer of the Government of Canada to enter Canada for the purpose of reuniting immediate family members;
E. Crew member;
F. Accredited diplomat and their immediate family members, including representative from the United Nations and international organizations for which Canada is part of;
G. Foreign national travelling at the invitation of the Canadian government for the purpose of assisting in the COVID-19 response or whose entry would be in the national interest;
H. Person who arrives by means of an aircraft operated by the Canadian Forces or the Department of National Defence;
I. Member of the Canadian military, visiting forces, and their family members;
J. Protected Person presenting a Convention Refugee travel document;
K. A French citizen who resides in St. Pierre and Miquelon (SPM) who has only been in SPM, the U.S. or Canada during the period of 14 days before the day on which they board;
L. Person or any person in class of persons who, in the opinion of the Chief Public Health Officer does not pose a risk of significant harm to the public health, or will provide an essential service while in Canada; and,
M. Transiting passengers through Canada to another country.
   - **Please note**, transiting passengers will be subject to any travel bans and restrictions the third country has in place.

*****Please note that foreign nationals who's exemption stems from section (A), (E), (F), (K) or (L) can only enter Canada if they have:** (1) essential business, **AND** (2) have no COVID-19 symptoms (I.e. a fever and cough, **OR** a fever and breathing difficulties).

O6 – Q2B: How do I determine what is considered "non-essential" and essential travel?
O6 – A2B: Non-essential travel is defined as travel for the purposes of tourism, recreation and entertainment, but not limited to these specific examples.

Essential travel is defined, but is not limited to, travel for the purposes of: economic services and supply chains; critical infrastructure support; health (immediate medical care), safety and security; transiting through Canada for essential purposes; indigenous communities; cross-border employment; tending to family matters for essential purposes; and shopping for essential goods such as medication or basic needs, work and study.

O6 – Q3: Who is considered to be an immediate family member according to Order 6?
O6 – A3: To be considered an immediate family member you must be:

- (1) spouse/common-law partner of the person;
- (2) a dependent child of the person or of their spouse/common-law partner;
- (3) a dependent child of a dependent child of the person or their spouse/common-law partner;
- (4) a parent/step-parent of the person or of their spouse/common-law partner; or
- (5) the guardian/tutor of a person.

O6 – Q3B: Will immediate family members not already in possession of a Temporary Resident Visa be permitted to apply for one?
O6 – A3B: Yes, note that Immigration, Refugees and Citizenship Canada offices have limited operations but remain open.

O6 – Q3C: How extensively should Liaison Officers (LO) attempt to verify relationship?
O6 – A3C: In terms of verification, due diligence should be performed. If an LO is contacted by an air carrier for advice, and is satisfied of the relationship through passenger interview or any documentation presented (birth certificates, marriage certificates, bills, etc.), no further verification is needed. If there are any doubts or concerns, or there is no supporting documentation presented, GCMS checks could be conducted.

O6 – Q3D: What is the age cut-off for dependent children?
O6 – A3D: To be considered a dependent child (**OR** a dependent child of a dependent child), the child must be:

- 21 years old or younger and not have a spouse or common-law partner; or
- 22 years old or older, have been financially dependent on the parent(s) since before turning 22, and be physically and/or mentally unable to support him or herself financially.

O6 – Q3E: Does the Canadian citizen or PR need to be accompanying the immediate family member to be exempt?
O6 – A3E: No, immediate family members do not need to be accompanied by the Canadian or PR.

O6 – Q4: Are deadheading air crew and seafarers entering Canada to join a marine vessel as crew members included in the exemptions?
O6 – A4: Yes.

O6 – Q5: Does the ban apply to diplomats?
O6 – A5: Diplomats that have been issued an accreditation counterfoil by GAC are exempted. All others are subject to the travel ban.

GENERAL – Questions and Answers:

G – Q1: Are unaccompanied minors allowed to board?
G – A1: Yes, if they are exempted or if they hold a consular letter.

G – Q2: What recourse do people have if they have previously booked tickets and are no longer allowed to board flights to Canada?
G – A2: The LO should refer the passenger to the airline.

G – Q3: What role do CBSA LOs play in keeping non-citizens and non-exempted travellers from boarding flights to Canada?
G – A3: LOs operate in an advisory capacity to airlines and immigration partners on passenger documentation. They will work remotely with airlines and other partners responsible for document screening of Canada-bound travellers to ensure that passengers seeking to board a flight to Canada are properly documented. LOs will not be actively seeking out travellers who are not eligible to fly to Canada under the new ban. The final decision on whether to board a traveller rests with the airline. We expect LOs to actively monitor their business lines to support airlines as we transition to the new border measures.

G – Q4: Will LOs be identifying symptomatic passengers?
G – Q4: No. CBSA LOs are not medical professionals. Air operators will be required to do a basic health assessment of all air travellers before they board the flight based on guidance from the Public Health Agency of Canada. This would include the operator asking simple health questions, looking for visible signs of illness prior to boarding, and possibly referring the traveller for a further medical assessment.

In the event the traveller presents COVID-19 symptoms, the air carrier will be required to refuse to board the passenger for travel for a period of 14 days. Should the traveller still wish to board a flight to Canada after 14 days, they must demonstrate that they are non-symptomatic, or have a medical certificate that confirms the patient does not carry the virus.

G – Q5: Will LOs be expected to facilitate Canadians with no/expired documents?
G – A5: Operational Bulletin PRG-2013-26 will continue to apply regarding facilitation of Canadians. It will remain up to the LO's judgement whether to recommend to an airline that a person is properly documented. In simple terms, if an LO is satisfied that a traveller is a Canadian citizen, they should facilitate the traveller. The port of entry should be notified of the inbound travellers to avoid complications on arrival.

G – Q6: What role does the Air Carrier Support Centre (ACSC) play in enforcing the restrictions?
G – A6: The role of the ACSC remains a supportive one to airlines. ACSC officers are expected to familiarize themselves with the travels bans and with these Qs&As and to provide guidance to airlines on the application of the restrictions. Officers from the ACSC should only refer the airlines to LOs if they cannot answer a question with the information they have, or if more interpretation is needed.

G – Q7: Will CBSA LOs be working out of airports more than usual to assist airlines?
G – A7: Guidance from managers and local security programs should be sought and any local travel restrictions/telework advisories currently in place at mission should be respected. Additionally, LOs should refer to Government of Canada advisories and policies related to essential work.

G – Q8: How long will these restrictions be in place?
G – A8: These restrictions are subject to change, LOs will be advised accordingly.

G – Q9: Will the CBSA be issuing direct formal messaging to airlines?
G – A9: Transport Canada is the lead interlocutor for the Government of Canada with airlines. The CBSA may transmit formal messages via Transport Canada.

G – Q10: Is overtime (OT) approved for dealing with queries and cases relating to this regulation?
G – A10: OT will be approved as per collective agreements in place. Internal order (IO) number 724512 has been established for work relating to COVID-19. Please consult your manager for additional information.

G – Q11: Do we have lines for dealing with Consular and IRCC at mission?
G – A11: As Government of Canada partners, GAC and IRCC have lines already relating to these restrictions. Should CBSA Communications provide speaking lines, they will be transmitted to Liaison Officers.

G – Q12: Will this ban impact removals?
G – A12: Removals have been stopped. Note that the removal of serious criminal cases may continue but this would be via exception only, following a case-by-case assessment by senior staff. Clients who currently have removals scheduled should expect to hear from the CBSA in the coming days to confirm cancellation of removal and be advised of next steps. Those who wish to depart Canada voluntarily despite the current global pandemic, may do so.

G – Q13: Will PRs with expired or missing PR cards be allowed to travel?
G – A13: LOs should use their discretion and facilitate whenever possible. If an LO is satisfied that a traveller with an expired PR card or no PR card on hand is a *bona fide* PR, facilitation should be encouraged, especially if the expiry date is recent and after verifying the identity of the individual.

G – Q14. Can a letter from a hospital be accepted instead of a letter from a consular officer?
G – A14. No.

G – Q15: Are Transit Without Visa (TWOV) / China Transit Program (CTP) passengers exempted from the travel ban?
G – A15: Yes, however the following must be noted:
- The United States (US) has instituted travel bans on any non-US citizens or US PR travellers who have been in certain countries in the past 14 days.
- Any TWOV or CTP passengers attempting to transit Canada to the US who have been in any of the designated countries will not be allowed to continue on to the US.
- As with other transit passengers under the ban, they cannot leave the airport-their flights must be continuous.

G – Q16: The Minister of Public Safety announced on March 18th that students and temporary workers are exempt from this ban. Is this the case?
G – A16: No, foreign student and temporary workers (including those holding valid SP and WP permits) should not be allowed to board unless they **also** meet the criteria of one of the exemptions previously listed.

Additionally, you should encourage students and temporary workers to monitor IRCC Government of Canada website to ensure they have the most up-to-date information of when they may be allowed to come to Canada for the purposes of studying and/or working as the situation is fluid.

G – Q17: Are foreign nationals in possession of a valid immigrant visa (landing papers), who are seeking to become a permanent resident in Canada, allowed to board a flight to Canada?
G – A17: at this time, foreign nationals in possession of a valid immigrant visa/landing papers are not allowed to board unless they also meet the criteria of one of the exemptions above.

Additionally, you should encourage students and temporary workers to monitor IRCC Government of Canada website to ensure they have the most up-to-date information of when they may be allowed to come to Canada for the purposes of studying and/or working as the situation is fluid.

G – Q18: Are all transiting passengers allowed to board?
G – A18: No, only direct transiting passengers should be allowed to board (i.e. passengers whose transit allows them to remain in the same airport). Terminal to terminal transfer is allowed.

TRAVEL RESTRICTIONS RELATED TO THOSE TRAVELLING FROM THE UNITED STATES TO CANADA IN ALL TRAVEL MODES

In accordance with the mutual agreement between Canada and the United States to limit non-essential travel, and in an ongoing effort to contain the global spread of the COVID-19 pandemic, non-essential travel will be restricted between Canada and the United States. These new restrictions prohibit any foreign national, including United States nationals, from entering Canada for **optional or discretionary purposes.**

Non-essential travel includes, but is not limited to: tourism, recreation, and/or sight-seeing. For example, you are still allowed to cross the border for business related reasons or to buy essential goods, such as medication.

The restriction comes into effect at 00:01 (AM) EDT on March 21, 2020, and ends at 12:00PM (Noon) EDT on April 21, 2020.

All foreign nationals will be prohibited from entering Canada, from the United States, in all modes of travel (air, land, rail, and marine) for non-essential purposes with the exception of:

- A person registered as an Indian under the *Indian Act;*
- A person who, in the opinion of Chief Public Health Officer, does not pose a risk of significant harm to public health;
- A protected person who has previously received refugee protection in Canada as defined in section 95(2) of the *Immigration and Refugee Protection Act;* or
- A person, travelling by aircraft, if the scheduled arrival in Canada is before 11:59AM EDT on March 21, 2020.

In addition, all foreign nationals entering Canada for **essential** business or studies must also have only been in either the United States or Canada for the period of 14 days prior to their arrival in Canada. All foreign nationals are prohibited from entering if they display the following symptoms: a fever and cough, or a fever and breathing difficulties.

Refugee Claims

Foreign nationals are prohibited from entering Canada from the United States for the purpose of making a claim for refugee protection, with the exception of:

- a citizen of the United States;
- a stateless habitual resident of the United States;
- a mother, father or legal guardian within the meaning of the *Immigration and Refugee Protection Regulations* of a person who (i) has not attained the age of 18 years, (ii) is a citizen of the United States, and (iii) who seeks to enter Canada for the purpose of making a claim for refugee protection; or
- an unaccompanied minor (under 18) who does not have a spouse or common law partner as defined in the *Immigration and Refugee Protection Regulations,* and has neither a mother, father or legal guardian, as defined in the United States.

Additional Guidance

This ban is not intended to impact essential travel and vital supply chains that ensure food, fuel, and life saving medicines reaching people on both sides of the border.

Essential travel may be defined as, but is not limited to: economic services and supply chains; critical infrastructure support; health (immediate medical care), safety and security; transiting through Canada for essential purposes; indigenous communities; cross-border employment; tending to family matters for essential purposes; and shopping for essential goods such as medication or basic needs.

Health Screening

All travellers will undergo health screening for symptoms related to COVID-19:

- Any traveller including Canadian citizens who exhibits any signs or symptoms of illness suggesting respiratory infection will be prohibited from boarding their flight.
- All foreign nationals who exhibits any signs or symptoms of illness suggesting respiratory infection at a point of entry will be prohibited entry to Canada.

For more information on Canada's response to COVID-19, and restrictions related to travel to Canada, please visit Canada.ca/coronavirus or call 1-833-784-4397





RESTRICTIONS DE VOYAGE LIÉES À CEUX QUI VOYAGENT DES ÉTATS-UNIS AU CANADA PAR TOUS LES MODES DE VOYAGE

Conformément à l'accord mutuel entre le Canada et les États-Unis pour limiter les voyages non-essentiels, et dans un effort continu pour contenir la propagation mondiale de la pandémie de la COVID-19, les voyages non-essentiels seront limités entre le Canada et les États-Unis. Ces nouvelles restrictions interdisent à **tout** ressortissant étranger, y compris aux citoyens américains, d'entrer au Canada à **des fins facultatives ou discrétionnaires**.

Les voyages non essentiels comprennent, sans s'y limiter: le tourisme, les loisirs et / ou les visites touristiques. Par exemple, vous êtes toujours autorisé à traverser la frontière pour des raisons professionnelles ou pour acheter des produits essentiels, tels que des médicaments.

La restriction entre en vigueur à 00 h 01 HAE le 21 mars 2020 et se termine à 12 h 00 (midi) HAE le 21 avril 2020.

Il sera interdit à tous les ressortissants étrangers d'entrer au Canada, en provenance des États-Unis, dans tous les modes de transport (aérien, terrestre, ferroviaire et maritime) à des fins non essentielles, à l'exception de:

- la personne qui est inscrite au registre des Indiens en vertu de la *Loi sur les Indiens;*
- la personne qui, selon l'administratrice en chef de la santé publique du Canada, ne présente pas de danger grave pour la santé publique;
- la personne protégée qui a déjà reçu une protection au sens du paragraphe 95(2) de la *Loi sur l'immigration et la protection des réfugiés;* ou
- la personne qui arrive à bord d'un aéronef dont le plan de vol prévoit une arrivée au Canada avant 23h59 HAE, le 21 mars 2020

De plus, tout ressortissant étranger qui souhaite entrer au Canada pour études ou affaires **essentielles**, doit avoir été aux États-Unis ou au Canada pendant la période de 14 jours précédant son arrivée au Canada. De plus, il est interdit à tout ressortissant étranger d'entrer s'ils présentent les symptômes suivants: fièvre et toux, ou fièvre et difficultés respiratoires.

Demandes de statut de réfugié

Il est interdit aux ressortissants étrangers de venir au Canada, en provenance des États-Unis, dans le but de demander l'asile. Cette mesure ne s'applique pas :

- au citoyen des États-Unis;
- à l'apatride qui a sa résidence habituelle aux États-Unis;
- à la mère, au père ou au tuteur légal au sens du *Règlement sur l'immigration et la protection des réfugiés* d'une personne qui (i) a moins de 18 ans, (ii) est un citoyen des États-Unis et (iii) cherche à entrer au Canada pour faire une demande d'asile; ou
- au mineur non accompagné (moins de 18 ans) qui n'a pas d'époux ou de conjoint de fait au sens du *Règlement sur l'immigration et la protection des réfugiés* **et** n'a ni mère, ni père, ni tuteur légal, au sens de ce règlement aux États-Unis.

Conseils supplémentaires

Cette interdiction n'est pas destinée à avoir un impact sur les voyages essentiels et les chaînes d'approvisionnement vitales qui garantissent que la nourriture, le carburant et les médicaments vitaux atteignent les personnes des deux côtés de la frontière.

Les voyages essentiels peuvent être définis comme suit, sans toutefois s'y limiter: services économiques et chaînes d'approvisionnement; soutien aux infrastructures essentielles; santé (soins médicaux immédiats), sûreté et sécurité; transitant par le Canada à des fins essentielles; communautés autochtones; emploi transfrontalier; s'occuper des affaires familiales à des fins essentielles; et l'achat de produits essentiels tels que les médicaments ou les besoins de base.

Contrôle de santé

Tous les voyageurs subiront un contrôle de santé à tous les points d'entrée pour détecter les symptômes liés à la COVID-19:

- Tout voyageur, incluant les citoyens canadiens, qui présente des signes ou des symptômes de maladie suggérant une infection respiratoire se verra interdire l'embarquement au bord d'un avion.
- Tout ressortissant étranger qui présente des signes ou des symptômes de maladie suggérant une infection respiratoire se verra interdire l'entrée au Canada.

Pour plus d'informations sur la réponse du Canada à la COVID-19, et sur les restrictions liées aux voyage au Canada, veuillez consulter le site canada.ca/coronavirus ou appeler le 1-833-784-4397





TRAVEL RESTRICTIONS RELATED TO THOSE TRAVELLING TO CANADA FROM ANY COUNTRY OTHER THAN THE UNITED STATES

In an ongoing effort to contain the global spread of the COVID-19 pandemic, travel to Canada will be restricted for **all** foreign nationals coming from any country other than the United States (US), other restrictions apply to those travelling from the US. These new restrictions prohibit **any** foreign national, including United States nationals, from entering Canada for **optional or discretionary purposes.** Exceptions to these restrictions are provided below.

*****Non-essential travel includes, but is not limited to: tourism, recreation, and/or sight-seeing*****

These new restrictions come into effect March 22, 2020 as signed until June 30, 2020

Any foreign national is prohibited from entering Canada by the air and marine modes if they arrive from a foreign country other than the US, with exception to:

- Foreign national, including US citizens, who have been in the US and Canada for more than 14 days (as per the **order governing travel from the US to Canada**);
- Immediate family member of Canadian citizens and permanent residents;
- Person registered as an Indian under the *Indian Act*;
- Person who is authorized, in writing, by a consular officer of the Government of Canada to enter Canada for the purpose of reuniting immediate family members;
- Airline or marine crew member;
- Accredited diplomat and immediate family members, including representative from the United Nations and international organizations for which Canada is part of;
- Foreign national travelling at the invitation of the Canadian government for the purpose of assisting in the COVID-19 response;
- Person who arrives by means of an aircraft operated by the Canadian Forces or the Department of National Defence;
- Member of the Canadian military, visiting forces, and their family members;
- Protected Person presenting a Convention Refugee travel document;
- A French citizen who resides in St. Pierre and Miquelon (SPM) who has only been in SPM, the US or Canada during the period of 14 days before the day on which they board;
- Person or any person in class of persons who, in the opinion of Canada's Chief Public Health Officer does not pose a risk of significant harm to the public health, or will provide essential service while in Canada; and
- Transiting passengers through Canada to another country.
    - Please note, transiting passengers will be subject to any travel bans and restrictions the third country has in place.

Important Definitions

To be considered an immediate family members of a Canadian Citizens or Permanent Residents (person) you must be:

- **(1)** a spouse/common-law partner of the person;
- **(2)** a dependent child of the person or of their spouse/common-law partner;
- **(3)** a dependent child (grand child) of a dependent child (child) of the person or their spouse/common-law partner;
- **(4)** a parent/step-parent of the person or of their spouse/common-law partner; or
- **(5)** a guardian/tutor of the person.

To be considered a dependent child you must be:

- **(1)** 21 years old or younger and not have a spouse/common-law partner; or
- **(2)** 22 years old or older, have been financially dependent on the parent(s) since before turning 22, and be physically and/or mentally unable to support themselves financially.

Health Screening

Airlines will also be required to screen all passengers, including Canadian Citizens and Permanent Residents, for symptoms related to COVID-19 before they board a flight to Canada; those who have symptoms will not be allowed to board for the next 14 days following their denial.

Self-Isolation

In accordance with official advice from the Public Health Agency of Canada, all travellers arriving to Canada, including Canadians, will be asked to self-isolate for 14 days upon their arrival to Canada.

For more information on Canada's response to COVID-19, and restrictions related to travel to Canada, please visit Canada.ca/coronavirus or call 1-833-784-4397





RESTRICTIONS DE VOYAGE LIÉES À CEUX QUI VOYAGENT AU CANADA EN PROVENANCE DE TOUT PAYS AUTRE QUE LES ÉTATS-UNIS

Dans un effort continu de limiter la propagation mondiale de la pandémie de la COVID-19, les voyages au Canada seront restreints à **tous** les ressortissants étrangers en provenance de n'importe quel pays autre que les États-Unis (É.-U.), d'autres restrictions s'appliquent à ceux qui voyagent des É-U. Ces nouvelles restrictions interdisent à **tout** ressortissant étranger, y compris aux ressortissants américains, d'entrer au Canada **à des fins facultatives ou discrétionnaires**. Des exceptions à ces restrictions sont fournies ci-dessous.

*****Les voyages non essentiels comprennent, sans s'y limiter: le tourisme, les loisirs et/ou les visites touristiques*****

Ces nouvelles restrictions entrent en vigueur le 22 mars jusqu'au 30 juin 2020.

Tout étranger son interdit d'entrer au Canada par les modes aérien et maritime s'il arrive d'un pays étranger autre que les É.U., à l'exception des personnes suivantes:

- Les ressortissants étrangers, y compris les citoyens des É.U., qui se trouvent aux É.U. ou au Canada depuis plus de 14 jours **(selon l'arrêté régissant les voyages des É.-U. au Canada)**;
- Les membres de la famille immédiate de citoyens canadiens et de résidents permanents;
- Les personnes inscrites au registre des Indiens en vertu de la *Loi sur les Indiens*;
- Les personnes qui sont autorisées, par écrit, par un agent consulaire du gouvernement du Canada d'entrer au Canada dans le but de réunir les membres d'une famille immédiate;
- L'équipages des compagnies aériennes et maritimes;
- Les diplomates accrédités et les membres de leur famille, y compris les représentants des Nations Unies et les organisations internationales dont le Canada fait partie;
- Les ressortissants étrangers voyageant à l'invitation du gouvernement canadien dans un but lié à la réponse à la pandémie de la COVID-19;
- Les personnes arrivant à bord d'un aéronef exploité par les Forces canadiennes ou le ministère de la Défense nationale;
- Les membres des Forces canadiennes, les forces étrangères présentes au Canada et les membres de leur famille;
- Les personnes protégées présentant un document de voyage pour réfugié au sens de la Convention;
- Les résidents français de Saint-Pierre-et-Miquelon (SPM) qui n'ont séjourné qu'à SPM, aux États-Unis ou au Canada pendant la période de 14 jours précédant la date d'embarquement;
- La personne, ou toute personne, qui individuellement ou au titre de son appartenance à une catégorie déterminée de personnes, selon l'administrateur en chef de l'Agence de la santé publique du Canada ne présente pas de danger grave pour la santé publique ou fournira un service essentiel durant son séjour au Canada; et
- Les passagers en transit entre vols internationaux.

    Veuillez noter que les passagers en transit seront soumis à toute interdiction et restriction de voyage en vigueur dans le pays tiers.

Définitions importantes

Pour être considéré comme un membre de la famille immédiate d'un citoyen canadien ou d'un résident permanent (personne), vous devez être:

- **(1)** son époux ou conjoint de fait;
- **(2)** un enfant qui est à sa charge ou à la charge de son époux ou conjoint de fait;
- **(3)** un enfant à charge (petit enfant) d'un enfant à charge (enfant) de la personne ou de son époux ou conjoint de fait;
- **(4)** un parent ou beau-parent de la personne ou de son époux ou conjoint de fait; ou
- **(5)** le tuteur de la personne.

L'enfant à charge est un enfant qui :

- **(1)** est âgé de moins de vingt-deux ans et n'est pas un époux ou conjoint de fait,
- **(2)** est âgé de vingt-deux ans ou plus et n'a pas cessé de dépendre, pour l'essentiel, du soutien financier de l'un ou l'autre de ses parents depuis le moment où il a atteint l'âge de vingt-deux ans, et ne peut subvenir à ses besoins du fait de son état physique ou mental.

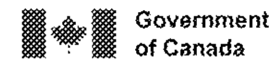
Contrôle de santé

Les compagnies aériennes seront également tenues de contrôler tous les passagers, y compris les citoyens canadiens et les résidents permanents, pour détecter les symptômes liés à la COVID-19 avant qu'ils ne prennent un vol pour le Canada; ceux qui présentent des symptômes ne seront pas autorisés à embarquer pendant 14 jours suivant le refus.

Auto-isolement

Conformément à l'avis officiel de l'Agence de la santé publique du Canada, tous les voyageurs arrivant au Canada devront s'isoler pendant 14 jours à leur arrivée au Canada.

Pour plus d'informations sur la réponse du Canada à la COVID-19, et sur les restrictions liées aux voyage au Canada, veuillez consulter le site canada.ca/coronavirus ou appeler le 1 (833) 784-4397





Air Carrier Reference Matrix (March 27th 2020)

Minimizing the Risk of Exposure to COVID-19 in Canada Orders

Travel to Canada from all countries

To be allowed to travel to Canada, foreign nationals must not exhibit symptoms of Covid19 (fever and cough or fever and difficulty breathing) and must not come to Canada for non-essential purposes including tourism, recreation or entertainment.

Passenger ⇩	Travel To Canada
Canadian Citizen or Permanent Resident	Allowed to board, as long as they are not showing symptoms of COVID-19
Immigrant (Confirmation of permanent residence issued before 18 March 2020)	Exempted from travel ban; OK to board
Foreign National with a valid work permit	Exempted from travel ban; OK to board
Foreign National with a valid study permit	Exempted from travel ban; OK to board
Foreign National approved to obtain a work permit (Has approval letter)	Exempted from travel ban; OK to board
Foreign National approved to study (Approval letter dated before 18 March 2020)	Exempted from travel ban; OK to board
Foreign National who meets the definition of an immediate family member (as defined below) of a Canadian Citizen or Permanent Resident	Exempted from travel ban; OK to board
Accredited diplomats and their immediate family members	Exempted from travel ban; OK to board
Foreign National (With a consular authorization letter from a consular official of Canada)	Exempted from travel ban; OK to board
Member of the Canadian Military, Visiting Forces and their immediate family members	Exempted from travel ban; OK to board
Foreign National who is not eligible for any other exemption	Do not board
Special cases as defined in the order	Refer to order / written direction

Immediate family member is defined as: (a) the spouse or common-law partner of the person; (b) a dependent child of the person or of the person's spouse or common-law partner; (c) a dependent child of a dependent child referred to in paragraph (b); (d) the parent or step-parent of the person or of the person's spouse or common-law partner; or (e) the guardian or tutor of the person.

Transit - International to International Only - passenger must have a confirmed onward flight to an international destination, his luggage must be checked trough to final destination, he must remain within the international transit zone. NO OVERNIGHT STAY POSSIBLE in TORONTO YYZ. - Transits are not permitted in cases where the passenger intends on leaving the airport, spending a night in a hotel or at the airport, or driving to the United States.

Note 1: This document serves as a quick reference document and should not be used to interpret any Government of Canada order in council or law. Air carriers are reminded to refer to legal references (Orders in Council) to verify and confirm information provided in this matrix.

Note 2: Air carriers are reminded that all transporter obligations remain in effect (eTA, visa, genuine and valid documents)

Health Caveat: Any passenger falling within an exemption scenario, as outlined above, must: 1. Be asymptomatic *(Not showing any symptoms of COVID-19) 2.* Not have been refused carriage for medical reasons, pertaining to COVID-19 in the last 14 days 3. Not refuse to answer medical questions

If you have any case-specific questions please contact your local CBSA Liaison Officer



Canada Border Services Agency | Agence des services frontaliers du Canada



Shift Briefing Bulletin

Subject :	**COVID-19 Temporary update regarding the "Confirmation of Referral and Notice to Appear (NTA)" and new Basis of Claim Abandon Date Calendar for 2020**
Date :	**June 4, 2020**

Details:

The purpose of this Shift Briefing Bulletin is to provide the updated "Confirmation of referral and notice to appear" letter issued on behalf of the Immigration and Refugee Board (IRB).

In light of the COVID-19 pandemic, the IRB is suspending, until further notice, all in-person hearings except detention reviews and some admissibility hearings involving detained persons. The Refugee Protection Division (RPD) released a Practice Notice on April 7, 2020. Please note that the Practice Notice states that the due date for filing the BOC Form **is now extended to 30 days after the date of the Resumption Notice**. The Resumption Notice is still unknown and will be posted on the IRB website.

Normally, the Basis of Claim (BOC) Form for claims made at a Port of Entry (POE) must be provided to the RPD no more than 15 business days after the day the claim is referred to the RPD. Only in exceptional circumstances may it be provided after the 15 day requirement.

In addition, the purpose of this Shift Briefing Bulletin is to provide with the updated BOC Abandon date calendar. As Operational Bulletin PRG-2018-47 provides all the details about the changes to scheduling of refugee hearing dates and the Confirmation of Referral procedures, the BOC Abandon date calendar has been updated accordingly. The calendar can now be accessed via the Wiki page: BOC Procedures/FDA Procédures.

There are no changes to the other refugee processing procedures to follow at this time.

Actions required by BSOs:

- Continue to follow the current procedures as per PRG-2018-47
- Provide the temporary "Confirmation of referral and notice to appear" to the applicant available on the Wiki page.
- Consult the new BOC Abandon date calendar when processing a refugee claim and continue to use the date indicated within the calendar during this temporary procedure.

Actions required by superintendents:

- Communicate this shift briefing to BSOs
- Keep up to date on travel restriction directives and communicate these with BSOs.

Inquiries:

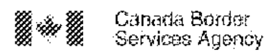
CBSA-ASFC_Ops_Travellers-Voyageurs

References:

Operational Bulletin PRG-2018-47

IRB: The Practice Notice







Wiki page: BOC Procedures/FDA Procédures
Issued by: Travellers Facilitation Programs Unit Program & Policy Management Division Travellers Programs Directorate

Agence des services frontaliers du Canada | Canada Border Services Agency



Bulletin d'information de quart de travail

Objet :	**COVID-19 Changement temporaire de la « Confirmation de cas déféré et avis de convocation » et nouveau calendrier de désistement concernant le fondement de la demande d'asile (FDA)**
Date :	**4 juin 2020**

Détails :

Ce bulletin d'information a pour but de vous informer de la nouvelle « Confirmation de cas déféré et avis de convocation » émise par la Commission de l'immigration et du statut de réfugié (CISR)

En raison de la pandémie de COVID-19, la CISR a suspendu toutes ses audiences jusqu'à nouvel ordre, à l'exception des révisions de détentions et de quelques audiences pour personnes détenues. La section de la protection des réfugiés (SPR) a publié un avis de pratique le 7 avril 2020. Veuillez noter que, selon l'avis de pratique, la date limite pour transmettre le formulaire FDA **est de 30 jours après la date de l'avis de reprise**. Cet avis de reprise est encore inconnu pour l'instant et sera publié sur le site Web de la CISR.

Normalement, le formulaire sur le FDA pour les demande d'asile faite au point d'entrée doit être remis à la SPR au plus tard 15 jours ouvrables après que la demande d'asile ait été déféré à la SPR. Seules des circonstances exceptionnelles peuvent prolonger la remise au-delà de l'exigence du 15 jours.

De plus, ce bulletin d'information a pour but de vous informer de la disponibilité de la mise à jour du nouveau calendrier de date de désistement du FDA. Alors que le Bulletin opérationnel PRG-2018-47 demeure valide et contient tous les détails liés aux modifications apportées à la planification des dates d'audience du statut de réfugié et aux procédures de confirmation de cas déféré, le calendrier de désistement du FDA devait être mis à jour. Le calendrier peut être consulté à la page Wiki : BOC Procedures/FDA Procédures.

Il n'y a aucun autre changement dans les procédures de demandes de refuge à suivre.

Mesures requises de la part des ASF :

- Continuer de suivre les procédures normales du BO PRG-2018-47
- Remettre la version temporaire de la « Confirmation de cas déféré et avis de convocation » disponible à la page Wiki.
- Consulter le nouveau calendrier des dates de désistement du FDA lors du traitement d'une demande d'asile et poursuivre son utilisation lors de cette mesure temporaire.

Mesures requises de la part des surintendants :

- Communiquer ce bulletin de quart de travail aux ASF.
- Se garder à jour sur les directives concernant les restrictions de voyages et les communiquer aux ASF.

Demandes de renseignements :

CBSA-ASFC Ops Travellers-Voyageurs

Références :





Bulletin opérationnel: PRG-2018-47

CISR: L'avis de pratique

Page Wiki: BOC Procedures/FDA Procédures

Publié par :

Section de la facilitation des voyageurs.

Division de la gestion des programmes et des politiques

Direction des programmes des voyageurs

Cuerrier, Josée

From: Modler, Greg
Sent: June 4, 2020 02:47 PM
To: Wherry, Alison; Barone, Jamie; Murrell, Dan; Girard, Claire; Issa, Naseem; Mullen, Jason; Cuerrier, Josée; Lafrance, Michelle; Liut, Daniel; Cantin, Melissa; Sproule, Jason
Subject: FW: SBB- Temp Update on IRB procedures // BIQT - Changement temporaire des procédures concernant le CISR
Attachments: SBB BOC French version.doc; SBB BOC English version.doc

Categories: ATIP 1

FYI

Greg Modler
Traveller Operations Division, Travellers Branch
Canada Border Services Agency / Government of Canada
greg.modler@cbsa-asfc.gc.ca / ***NEW:Tel: 613-240-7732***/ TTY: 866-335-3237

Greg Modler
Division des opérations liées aux voyageurs,
Direction générale des voyageurs
Agence des services frontaliers du Canada / Gouvernement du Canada
greg.modler@cbsa-asfc.gc.ca / ***Nouveau :Tél : 613-240-7732***/ ATS: 866-335-3237

From: Lamarche, Lynne
Sent: Thursday, June 4, 2020 2:37 PM
To: Sousae, Annie <Annie.Sousae@cbsa-asfc.gc.ca>; Volpe, Antonio <Antonio.Volpe@cbsa-asfc.gc.ca>; Goodkey, Glenn <Glenn.Goodkey@cbsa-asfc.gc.ca>; Modler, Greg <Greg.Modler@cbsa-asfc.gc.ca>; Cabana, Daniel <Daniel.Cabana@cbsa-asfc.gc.ca>
Subject: FW: SBB- Temp Update on IRB procedures // BIQT - Changement temporaire des procédures concernant le CISR

From: Corona Virus Task Force / Groupe de travail du virus Corona (CBSA/ASFC)
Sent: June 4, 2020 2:36:48 PM (UTC-05:00) Eastern Time (US & Canada)
To: McKinnon, Chastity; Correia, Sylvie; Letellier, Marie-Ève; Stewart, Shannon; Martin, Denis; Baxter, Shawna; Grewal, Jyoti; Cuvalo, Marija; Belaire, David; Naqvi, Nadia; Bertosa, Diana; Jeffers, Joycelyn; Woods, Dorothy; White, Lisa; PRA_CBSA-ASFC_Region, Programs; Jarvin, Carl; Bettencourt, Lucia; Desjarlais, Chuck; Stone, Christopher; McManners, William; Linde, John; Wakita, Masao; Redmond, Linell; Lamons, Shantel; Goodman, Nicole; Roy, Lise-Sylvie; CBSA.O Programs Management / Programmes Management O.ASFC; Holtan, Deborah; Charlton, Kevin; Pac-Van-Programs, TF PAC PROGRAMMES TF; Cliffe, Megan; Adams, Meaghan; MacLennan, Isabelle; Schuler, Tuula; Doxey, Laurelle; Peters, Jeryn; Lebrun, Yvette; Mahmood, Nausherwan; Goddard, Jeffrey; CBSA-ASFC_SOR-RSO_COVID19; Taylor, Carrie; Newby, Joshua; Prosia, Michael; Jaeger, Anneliese; Resmini, Mary; Boismier, Tamira; Short, Victoria; Bortolotto, Jennifer; NOR_COVID-19 / RNO_COVID-19 (CBSA/ASFC); ROC-COR Atlantic, Regional Operations Centre - Centre d'operations regionales; ROC-COR Quebec Regional Operations Centre d'opérations régionales; Lee, Chantal; GTAR_Region_Tasking /

RGT_Région_Tasking (CBSA/ASFC); Evert, Jason
Cc: D'Asti, UrszulaX; Martel, Alexandre; Harvie, Tammie; Jolicoeur, Catherine; Dakalbab, Talal; Border Operations Centre / Centre des Operations Frontalières (CBSA/ASFC); Sousae, Annie; Christiansen, Calvin; Lamarche, Lynne; Ommanney, John; Badour, Dan; Easton, Erika-Kirsten; Murray, Don; CBSA-ASFC_OPS_TRAVELLERS-VOYAGEURS; Pyke, Simon; Dutta, Tina; Muka, Marsel; Prémont, Jean-Christian; Crowe, Kelly; Carey, Brandon; Modler, Greg; Murray, Don; Denison, Colleen; INS / SRI (CBSA/ASFC); Robertson, Jayden; Corona Virus Task Force / Groupe de travail du virus Corona (CBSA/ASFC)
Subject: SBB- Temp Update on IRB procedures // BIQT - Changement temporaire des procédures concernant le CISR

*** La version française suit ***

Please find attached the final Shift Briefing Bulletin on the temporary update regarding the "Confirmation of Referral and Notice to Appear (NTA)" and new Basis of Claim Abandon Date Calendar for 2020 for distribution.

Thank you,

Alyssa Herage
Director / Directrice
Travellers Policy and Program Management / Politiques et gestion des programmes de Voyageurs
Canada Border Services Agency / Agence des Services Frontaliers du Canada
Tel: 613-954-6319 / ****NEW/NOUVEAU** Cell:**
alyssa.herage@cbsa-asfc.gc.ca

*** The English version precedes ***

Vous trouverez ci-joint la version finale du bulletin d'information du quart de travail sur le changement temporaire de la « Confirmation de cas déféré et avis de convocation » et nouveau calendrier de désistement concernant le fondement de la demande d'asile (FDA). Le bulletin est prêt pour diffusion.

Merci,

Alyssa Herage
Director / Directrice
Travellers Policy and Program Management / Politiques et gestion des programmes de Voyageurs
Canada Border Services Agency / Agence des Services Frontaliers du Canada
Tel: 613-954-6319 / ****NEW/NOUVEAU** Cell:**
alyssa.herage@cbsa-asfc.gc.ca

Bitsene, Jonathan

From:	Thompson, Kathy
Sent:	Friday, April 17, 2020 10:36 AM
To:	Grant, Michael: DFAIT / MAECI; Walsh, Eric: DFAIT / MAECI; Loken, Martin: DFATD / MAECD
Cc:	Lutfallah, Jennifer; Dakalbab, Talal; Chiquette, Benoit [DFAIT]; Scott, Stephen
Subject:	RE: US-Canada Land Border Travel Restrictions Extension and Assurances

Bitsene, Jonathan

From: Lutfallah, Jennifer
Sent: Thursday, April 16, 2020 7:00 AM
To: Trevor Bhupsingh (PS/SP); Evan Travers (PS/SP)
Subject: Fwd: Assurances

Sent from my iPhone

Begin forwarded message:

> **From:** "Atherly, Sacha (PS/SP)"
> **Date:** March 31, 2020 at 2:25:11 PM EDT
> **To:** "Thompson, Kathy"
> **Cc:** "Laflamme, Edith" , "Quinn, Robyn" , "MacKinnon, Paul" , "Ossowski, John" , "Lutfallah, Jennifer"
> **Subject: Re: Assurances**
>
> Hi Kathy,
>
> Thank you, I greatly appreciate this.
>
> Regards,
> Sacha
>
> Sent from my iPhone
>
>> On Mar 31, 2020, at 2:14 PM, Thompson, Kathy wrote:
>>
>> Sasha,
>> Please find below a status update as requested.
>> Kathy
>> Background:
>> The most recent Order in Council (OIC) prohibiting entry to Canada from the U.S. came into force on March 26, 2020. The OIC prohibits foreign nationals from entering Canada if they are seeking to enter for an optional or discretionary purpose or if they are exhibiting symptoms associated with coronavirus disease 2019 (COVID-19). Subject to limited exceptions, the OIC includes a prohibition of entry for foreign nationals who seek to enter Canada to make a claim for refugee protection.
>> The prohibition applies to all modes of travel (air, marine and land) from the U.S. and, for land, includes those who seek to enter at a port of entry and those who seek to enter between ports of entry. Similarly, the prohibition applies to all foreign nationals, regardless of their current status in the U.S. The prohibition applies to all modes of travel (air, marine and land) from the U.S. and, for land,

includes those who seek to enter at a port of entry and those who seek to enter between ports of entry. Similarly, the prohibition applies to all foreign nationals, regardless of their current status in the U.S.

From: Atherly, Sacha (PS/SP)
Sent: March 31, 2020 1:46 PM
To: Thompson, Kathy
Cc: Laflamme, Edith ; Quinn, Robyn
Subject: Re: Assurances
Yes, for my records please. I have a call with DPMO on this today. Thanks!
Sent from my iPhone

On Mar 31, 2020, at 1:41 PM, Thompson, Kathy <Kathy.Thompson@cbsa-asfc.gc.ca> wrote:

Hi Sacha,
Understand the President and C of S just connected moments ago.
Do you still need an update?

From: Atherly, Sacha (PS/SP) <sacha.atherly@canada.ca>
Sent: March 31, 2020 1:29 PM
To: Thompson, Kathy <Kathy.Thompson@cbsa-asfc.gc.ca>
Cc: Crosby, Jordan (PS/SP) <jordan.crosby@canada.ca>; MacKinnon, Paul <Paul.Mackinnon@cbsa-asfc.gc.ca>; Barrack, Radey (PS/SP) <radey.barrack@canada.ca>; Lindenas, Dan (PS/SP) <dan.lindenas@canada.ca>; Quinn, Robyn <Robyn.Quinn@cbsa-asfc.gc.ca>; Ossowski, John

<John.Ossowski@cbsa-asfc.gc.ca>
Subject: Re: Assurances
Hi all,
Is there an update on this?
Thanks,
Sacha

Sent from my iPhone

On Mar 28, 2020, at 9:25 AM, Thompson, Kathy <Kathy.Thompson@cbsa-asfc.gc.ca> wrote:

Will do
The change that we have made is the one that was transmitted to us by Kirsten and we are assuming if there were other changes they would also have been transmitted to us but to be clear we have not received the written document to confirm

Sent from my iPhone

On Mar 28, 2020, at 9:16 AM, Crosby, Jordan (PS/SP) <jordan.crosby@canada.ca> wrote:

Thank you and please keep us updated.
Jordan

Sent from my iPhone

On Mar 27, 2020, at 9:45 PM, MacKinnon, Paul <Paul.Mackinnon@cbsa-asfc.gc.ca> wrote:

Thanks very much Kathy. Good work done on this today, we're very close to an agreement.
PMK
Sent from my iPhone

On Mar 27, 2020, at

9:39 PM, Thompson, Kathy <Kathy.Thompson@cbsa-asfc.gc.ca> wrote:

Good evening

As agreed, I wanted to provide you an update on assurances. CBSA received this evening revised language from the U.S. on Canada's proposed assurances document.

We will keep you posted on these latest efforts.
Kathy

PROTECTED B

For action

DIRECT BACKS AND ASSURANCES

For the Minister

PURPOSE

The purpose of this note is to update you on the results of the Canada Border Services Agency's (CBSA) discussions with United States (US) counterparts regarding assurances for foreign nationals seeking asylum who have been directed back to the US as a result of Order in Council (OIC) 0185.

BACKGROUND

The most recent OIC prohibiting entry to Canada from the US, OIC 0185, came into force on March 26, 2020. This OIC prohibits foreign nationals from entering Canada from the US if they are seeking to enter for an optional or discretionary purpose or if they are exhibiting symptoms associated with coronavirus disease 2019 (COVID-19). Subject to limited exceptions, OIC 0185 includes a prohibition of entry for foreign nationals who seek to enter Canada at any location (i.e. at a POE or in between POEs) to make a claim for refugee protection. While the order is in effect, the Government of Canada is directing refugee claimants arriving from the US back to that country until the prohibition on entry expires or is repealed.



RECOMMENDATION

The CBSA proposes to work with the PHAC to revise the OIC before it expires on April 20, 2020.

NEXT STEPS

Should you approve the recommendation, the CBSA will undertake further discussions with the PHAC to amend the OIC.

Please note that I am available to discuss, or have CBSA officials brief your staff, at your convenience.

April 09, 2020

John Ossowski
President

Minister's response

I approve ☐
I do not approve ☐

I approve ☐
I do not approve ☐

I approve ☑
I do not approve ☐

To create a national interest exemption to be used in between POEs that can be delegated to the Vice-President, Travellers position. Where this exemption was engaged, it could allow Canada to process a refugee claim instead of directing back an individual where it would be in the national interest to do so.

AVR APR 16 2020

The Honourable Bill Blair, P.C., C.O.M., M.P. — Date

c.c.: Mr. Rob Stewart, Deputy Minister
Public Safety Canada

Bitsene, Jonathan

From: Cadieux, Isabelle
Sent: Thursday, April 16, 2020 9:59 AM
To: Campbell, Robert TOR
Subject: FW: Follow-up Items: Assurances Update

For your information.

I'm sorry if I'm sending duplicates, but I can't see what Richard's sending from his inbox.

Isabelle

Samsung:
Policy Development & Research Assistant | Adjointe en matière d'élaboration de politiques et de recherche

From: Deschamps, Rachel
Sent: April 16, 2020 9:09 AM
To: StMarseille, Richard
Cc: Cadieux, Isabelle
Subject: FW: Follow-up Items: Assurances Update

FYI

Rachel Deschamps
Cell:
A/Strategic Advisor / Conseillère stratégique p.i.
Strategic Policy Branch / Direction générale de la politique stratégique

From: Laflamme, Edith <Edith.Laflamme@cbsa-asfc.gc.ca> **On Behalf Of** Thompson, Kathy
Sent: April 16, 2020 9:07 AM
To: Lutfallah, Jennifer <Jennifer.Lutfallah@cbsa-asfc.gc.ca>
Cc: Deschamps, Rachel <Rachel.Deschamps@cbsa-asfc.gc.ca>
Subject: FW: Follow-up Items: Assurances Update

Edith Laflamme
613-941-4955

From: Quinn, Robyn <Robyn.Quinn@cbsa-asfc.gc.ca>
Sent: April 15, 2020 7:44 PM
To: Atherly, Sacha (PS/SP) <sacha.atherly@canada.ca>; Lindenas, Dan (PS/SP) <dan.lindenas@canada.ca>; Barrack, Radey (PS/SP) <radey.barrack@canada.ca>; Crosby, Jordan (PS/SP) <jordan.crosby@canada.ca>; Perreault, Brittany (PS/SP) <brittany.perreault@canada.ca>
Cc: Scott, Stephen <Stephen.Scott@cbsa-asfc.gc.ca>; Loverock, Corey <Corey.Loverock@cbsa-asfc.gc.ca>; Partridge, Matthew <Matthew.Partridge@cbsa-asfc.gc.ca>; Thompson, Kathy <Kathy.Thompson@cbsa-asfc.gc.ca>; Moreau, Ken (PS/SP) <ken.moreau@canada.ca>; Chow, Lawrence (PS/SP) <lawrence.chow@canada.ca>
Subject: RE: Follow-up Items: Assurances Update

-------- Original message --------
From: "Quinn, Robyn" <Robyn.Quinn@cbsa-asfc.gc.ca>
Date: 2020-04-15 7:21 p.m. (GMT-05:00)
To: "Atherly, Sacha (PS/SP)" <sacha.atherly@canada.ca>, "Lindenas, Dan (PS/SP)" <dan.lindenas@canada.ca>, "Barrack, Radey (PS/SP)" <radey.barrack@canada.ca>, "Crosby, Jordan (PS/SP)" <jordan.crosby@canada.ca>, "Perreault, Brittany (PS/SP)" <brittany.perreault@canada.ca>
Cc: "Scott, Stephen" <Stephen.Scott@cbsa-asfc.gc.ca>, "Loverock, Corey (Corey.Loverock@cbsa-asfc.gc.ca)" <Corey.Loverock@cbsa-asfc.gc.ca>, "Partridge, Matthew" <Matthew.Partridge@cbsa-asfc.gc.ca>, "Thompson, Kathy (Kathy.Thompson@cbsa-asfc.gc.ca)" <Kathy.Thompson@cbsa-asfc.gc.ca>, "Moreau, Ken (PS/SP)" <ken.moreau@canada.ca>, "Chow, Lawrence (PS/SP)" <lawrence.chow@canada.ca>
Subject: Follow-up Items: Assurances Update

Good Evening,

In follow up to our call on Assurances, please find attached the one-pager on Operationalizing the Informal and Temporary Arrangement with the U.S. on Asylum Claimants that was requested by PCO, and will also be shared with MinO Health and IRCC.

I will send you the dip note as soon as I receive it.

Thanks,
Robyn

Robyn Quinn

Ministerial Liaison Officer
Canada Border Services Agency / Government of Canada
Robyn.Quinn@cbsa-asfc.gc.ca / Tel: 613-948-7116 Cell: 613-883-7982

Agente de liaison ministérielle
Agence des services frontaliers du Canada / Gouvernement du Canada
Robyn.Quinn@cbsa-asfc.gc.ca / Tel: 613-948-7116 Cell: 613-883-7982

Bitsene, Jonathan

From: Tang, Godfrey
Sent: Monday, April 13, 2020 12:45 PM
To: Lutfallah, Jennifer; Lidstone, Robert
Cc: Laflamme, Edith; Deschamps, Rachel; Pitfield, Caroline
Subject: RE: Tasking - BF April 13 - Update to Minister's Talking Points: US Assurances
Attachments: April 12 - COVID-19 - National Enhanced Screening Report.docx

Hi Jennifer,

Thanks, have updated the total number as well, below in green – we just got the updated enhanced screening report, as of 10 am today.

Cheers,

Godfrey

From: Lutfallah, Jennifer <Jennifer.Lutfallah@cbsa-asfc.gc.ca>
Sent: April 13, 2020 12:07 PM
To: Lidstone, Robert <Robert.Lidstone@cbsa-asfc.gc.ca>
Cc: Laflamme, Edith <Edith.Laflamme@cbsa-asfc.gc.ca>; Deschamps, Rachel <Rachel.Deschamps@cbsa-asfc.gc.ca>; Tang, Godfrey <Godfrey.Tang@cbsa-asfc.gc.ca>; Pitfield, Caroline <Caroline.Pitfield@cbsa-asfc.gc.ca>
Subject: RE: Tasking - BF April 13 - Update to Minister's Talking Points: US Assurances

Regards,

Robert Lidstone

Senior Policy Analyst – Cabinet Affairs, COVID-19 Task Force
Canada Border Services Agency / Government of Canada
Robert.Lidstone@cbsa-asfc.gc.ca / Tel: 613-240-6443

Analyste principal des politiques – Affaires du Cabinet, Groupe de travail sur la COVID-19
Agence des services frontaliers du Canada / Gouvernement du Canada
Robert.Lidstone@asfc-cbsa.gc.ca / Tél. : 613-240-6433

Bitsene, Jonathan

From: Lutfallah, Jennifer
Sent: Monday, April 13, 2020 1:32 PM
To: Durocher, Christine
Cc: Lidstone, Robert; Patel, Nina; Laflamme, Edith; Deschamps, Rachel; Tang, Godfrey; Pitfield, Caroline
Subject: RE: Tasking - BF April 13 - Update to Minister's Talking Points: US Assurances

Nina and Christine,
Thank you for your expeditious responses.

Robert and Godfrey,
Please note amended text below.

Regards,

Robert Lidstone

Senior Policy Analyst – Cabinet Affairs, COVID-19 Task Force
Canada Border Services Agency / Government of Canada
Robert.Lidstone@cbsa-asfc.gc.ca / Tel: 613-240-6443

Analyste principal des politiques – Affaires du Cabinet, Groupe de travail sur la COVID-19
Agence des services frontaliers du Canada / Gouvernement du Canada
Robert.Lidstone@asfc-cbsa.gc.ca / Tél. : 613-240-6433

Bitsene, Jonathan

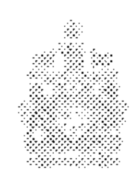
From: Lutfallah, Jennifer
Sent: Sunday, April 5, 2020 8:21 PM
To: Thompson, Kathy
Cc: Laflamme, Edith; Deschamps, Rachel
Subject: BRIEFING NOTE ON ASSURANCES/DIRECT BACKS
Attachments: BN for Minister_DBANDASSURANCES.docx

Kathy
As requested, attached is a briefing note to the Minister to amend OIC 0185 for John's discussion with the Minister tomorrow.

I will provide Kimby a copy of this note.

Rachel,
Please log into CCM tomorrow morning and fill out the routing slip.

Jennifer Lutfallah
Director General | Directrice-générale
Canada Border Services Agency | Agence des services frontaliers du Canada
10028 - 100 Metcalfe
Ottawa Ontario
jennifer.lutfallah@cbsa-asfc.gc.ca
Telephone | Téléphone 613-948-9041
Cell
Government of Canada | Gouvernement du Canada



CANADA
PRIVY COUNCIL • CONSEIL PRIVÉ

P.C. 2020-538
July 20, 2020

Whereas the Governor in Council is of the opinion that

(a) based on the declaration of a pandemic by the World Health Organization, there is an outbreak of a communicable disease, namely coronavirus disease 2019 (COVID-19), in the majority of foreign countries;

(b) the introduction or spread of the disease would pose an imminent and severe risk to public health in Canada;

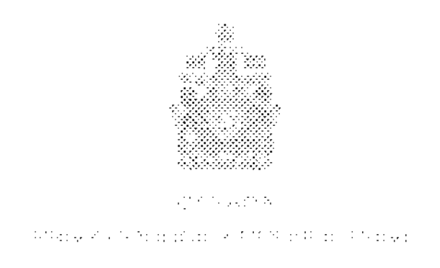
(c) the entry of persons into Canada who have recently been in a foreign country may introduce or contribute to the spread of the disease in Canada; and

(d) no reasonable alternatives to prevent the introduction or spread of the disease are available;

Therefore, Her Excellency the Governor General in Council, on the recommendation of the Minister of Health, pursuant to section 58 of the *Quarantine Act* makes the annexed *Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the United States)*

CERTIFIED TO BE A TRUE COPY - COPIE CERTIFIÉE CONFORME

CLERK OF THE PRIVY COUNCIL - GREFFIER DU CONSEIL PRIVÉ



C.P. 2020-538
20 juillet 2020

Attendu que la gouverneure en conseil est d'avis :

a) que, compte tenu de la déclaration de pandémie de l'Organisation mondiale de la santé, la majorité des pays étrangers est aux prises avec l'apparition d'une maladie transmissible, soit la maladie à coronavirus 2019 (COVID-19),

b) que l'introduction ou la propagation de cette maladie présenterait un danger grave et imminent pour la santé publique au Canada;

c) que l'entrée au Canada de personnes qui ont récemment séjourné dans un pays étranger favoriserait l'introduction ou la propagation de la maladie au Canada;

d) qu'il n'existe aucune autre solution raisonnable permettant de prévenir l'introduction ou la propagation de la maladie au Canada.

À ces causes, sur recommandation de la ministre de la Santé et en vertu de l'article 58 de la *Loi sur la mise en quarantaine*, Son Excellence la Gouverneure générale en conseil prend le *Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance des États-Unis)*, ci-après.

CERTIFIED TO BE A TRUE COPY - COPIE CERTIFIÉE CONFORME

CLERK OF THE PRIVY COUNCIL - LE GREFFIER DU CONSEIL PRIVÉ

P.C. 2020-538

Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the United States)

Definitions

1 The following definitions apply in this Order.

common-law partner has the same meaning as in subsection 1(1) of the *Immigration and Refugee Protection Regulations*. (*conjoint de fait*)

foreign national has the same meaning as in subsection 2(1) of the *Immigration and Refugee Protection Act*. (*étranger*)

immediate family member with respect to a person means,

(a) the spouse or common-law partner of the person;

(b) a *dependent child*, as defined in section 2 of the *Immigration and Refugee Protection Regulations*, of the person or of the person's spouse or common-law partner;

(c) a *dependent child*, as defined in section 2 of the *Immigration and Refugee Protection Regulations*, of a dependent child referred to in paragraph (b);

(d) the parent or step-parent of the person or of the person's spouse or common-law partner; or

(e) the guardian or tutor of the person. (*membre de la famille immédiate*)

Prohibition — signs and symptoms

2 **(1)** A foreign national is prohibited from entering Canada from the United States if they have COVID-19 or have signs and symptoms of COVID-19 or have reasonable grounds to suspect they have such signs and symptoms, including

(a) a fever and cough; or

(b) a fever and breathing difficulties.

Non-application — certain persons

(2) Subsection (1) does not apply to persons referred to in subsection 5(1) or (2) who seek to enter Canada from the United States for the purpose of making a claim for refugee protection.

Prohibition — optional or discretionary purpose

3 **(1)** A foreign national is prohibited from entering Canada from the United States if they seek to enter for an optional or discretionary purpose, such as tourism, recreation or entertainment.

Non-application — immediate family member

(2) Subsection (1) does not apply to a foreign national who is an immediate family member of a Canadian citizen or a *permanent resident*, as defined in subsection 2(1) of the *Immigration and Refugee Protection Act*, if the foreign national intends to enter Canada to be with their immediate family member who is a Canadian citizen or a permanent resident and can demonstrate the intent to stay in Canada for a period of at least 15 days.

Prohibition — unable to meet quarantine requirement

4 (1) A foreign national is prohibited from entering Canada from the United States if, based on the purpose of entry and the length of their stay, the requirement to quarantine under the *Minimizing the Risk of Exposure to COVID-19 in Canada Order (Mandatory Isolation), No. 3* cannot be complied with.

Non-application — certain persons

(2) Subsection (1) does not apply to persons referred to in subsections 5(1) or (2) who seek to enter Canada from the United States for the purpose of making a claim for refugee protection.

Prohibition — claim for refugee protection

5 (1) A foreign national is prohibited from entering Canada from the United States for the purpose of making a claim for refugee protection unless the person

(a) seeks to enter Canada at a land port of entry designated by the Minister of Public Safety and Emergency Preparedness under section 26 of the *Immigration and Refugee Protection Regulations* and

(i) is a person referred to in section 159.2, 159.5 or 159.6 of the *Immigration and Refugee Protection Regulations*; or

(ii) is a citizen of the United States; or

(b) is a person whose presence in Canada is determined by the Minister of Public Safety and Emergency Preparedness or the Minister of Citizenship and Immigration to be in the national or public interest, while recognizing the paramount public health interests of Canada and Canadians.

Non-application — certain persons

(2) Subsection (1) does not apply to the following persons who seek to enter Canada at any place referred to in paragraph 159.4(1)(a), (b) or (c) of the *Immigration and Refugee Protection Regulations*:

(a) a citizen of the United States;

(b) a stateless habitual resident of the United States; or

(c) a person who

(i) has not attained the age of 18 years and is not accompanied by their mother, father or legal guardian within the meaning of the *Immigration and Refugee Protection Regulations*,

(ii) has neither a spouse nor a common-law partner within the meaning of those Regulations, and

(iii) has neither a mother or father nor a legal guardian within the meaning of those Regulations in the United States.

Non-application — Order

6 This Order does not apply to

(a) a person registered as an Indian under the *Indian Act*;

(b) a person who, as determined by the Chief Public Health Officer appointed under subsection 6(1) of the *Public Health Agency of Canada Act*, does not pose a risk of significant harm to public health;

(c) a protected person within the meaning of subsection 95(2) of the *Immigration and Refugee Protection Act*; or

(d) a person who enters Canadian waters, including the inland waters, or the airspace over Canada on board a conveyance while proceeding directly from one place outside Canada and leaves Canada to another place outside Canada on board the conveyance, as long as the person was continuously on board that conveyance while in Canada and, in the case of a conveyance other than an aircraft, the person did not land in Canada and the conveyance did not make contact with another conveyance, moor or anchor while in Canadian waters, including the inland waters, other than anchoring carried out in accordance with the right of innocent passage under international law and, in the case of an aircraft, the conveyance did not land while in Canada.

Powers and obligations

7 For greater certainty, this Order does not affect any of the powers and obligations set out in the *Quarantine Act*.

Repeal of P.C. 2020-469

8 The *Minimizing the Risk of Exposure to COVID-19 in Canada Order (Prohibition of Entry into Canada from the United States)*[1] is repealed.

Effective period

9 This Order has effect for the period beginning at 23:59:59 Eastern Daylight Time on the day on which it is made and ending at 23:59:59 Eastern Daylight Time on August 21, 2020.

[1] P.C. 2020-469, June 19, 2020

C.P. 2020-538

Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance des États-Unis)

Définitions

1 Les définitions qui suivent s'appliquent au présent décret.

conjoint de fait S'entend au sens du paragraphe 1(1) de la *Loi sur l'immigration et la protection des réfugiés*. (*common-law partner*)

étranger S'entend au sens du paragraphe 2(1) de la *Loi sur l'immigration et la protection des réfugiés*. (*foreign national*)

membre de la famille immédiate S'entend, à l'égard d'une personne :

a) de son époux ou conjoint de fait;

b) de son *enfant à charge* au sens de l'article 2 du *Règlement sur l'immigration et la protection des réfugiés* ou de celui de son époux ou conjoint de fait;

c) de l'*enfant à charge* au sens de l'article 2 du *Règlement sur l'immigration et la protection des réfugiés* d'un enfant à charge visé à l'alinéa b);

d) d'un de ses parents ou de ses beaux-parents ou des parents ou beaux-parents de son époux ou conjoint de fait;

e) de son tuteur. (*immediate family member*)

Interdiction — signes et symptômes

2 (1) Il est interdit à tout étranger d'entrer au Canada en provenance des États-Unis s'il est atteint de la COVID-19 ou s'il présente des signes et des symptômes de la COVID-19 ou s'il a des motifs raisonnables de soupçonner qu'il présente de tels signes et symptômes, dont notamment les suivants :

a) soit une fièvre et de la toux;

b) soit une fièvre et des difficultés respiratoires.

Non-application — certaines personnes

(2) Le paragraphe (1) ne s'applique pas aux personnes visées aux paragraphes 5(1) ou (2) qui cherchent à entrer au Canada en provenance des États-Unis afin de faire une demande d'asile.

Interdiction — fins optionnelles ou discrétionnaires

3 (1) Il est interdit à tout étranger d'entrer au Canada en provenance des États-Unis s'il cherche à le faire à des fins de nature optionnelle ou discrétionnaire telles que le tourisme, les loisirs ou le divertissement.

Non-application — membre de la famille immédiate

(2) Le paragraphe (1) ne s'applique pas à l'étranger qui est membre de la famille immédiate d'un citoyen canadien ou d'un *résident permanent* au sens du paragraphe 2(1) de la *Loi sur l'immigration et la protection des réfugiés*, à condition que l'étranger a l'intention d'entrer au Canada pour être avec un membre de sa famille immédiate qui est citoyen canadien ou résident permanent et qu'il puisse démontrer l'intention de demeurer au Canada pendant une période d'au moins quinze jours.

Interdiction — fins d'une nature qui empêche la mise en quarantaine

4 (1) Il est interdit à tout étranger d'entrer au Canada en provenance des États-Unis si l'obligation de se mettre en quarantaine conformément au *Décret nº 3 visant la réduction du risque d'exposition à la COVID-19 au Canada (obligation de s'isoler)* ne peut être satisfaite compte tenu des fins pour lesquelles il cherche à y entrer ou de la durée prévue de son séjour.

Non-application — certaines personnes

(2) Le paragraphe (1) ne s'applique pas aux personnes visées aux paragraphes 5(1) ou (2) qui cherchent à entrer au Canada en provenance des États-Unis afin de faire une demande d'asile.

Interdiction — demande d'asile

5 (1) Il est interdit à l'étranger d'entrer au Canada en provenance des États-Unis afin de faire une demande d'asile, sauf si, selon le cas :

a) il cherche à entrer au Canada à un point d'entrée par route désigné par le ministre de la Sécurité publique et de la Protection civile en vertu de l'article 26 du *Règlement sur l'immigration et la protection des réfugiés* et est :

(i) soit un demandeur visé aux articles 159.2, 159.5 ou 159.6 du *Règlement sur l'immigration et la protection des réfugiés*,

(ii) soit un citoyen des États-Unis;

b) il est une personne dont la présence au Canada est, tel qu'il est établi par le ministre de la Sécurité publique et de la Protection civile ou le ministre de la Citoyenneté et de l'Immigration, dans l'intérêt national ou dans l'intérêt public, compte tenu des intérêts primordiaux du Canada et des Canadiens en matière de santé publique.

Non-application — certaines personnes

(2) Le paragraphe (1) ne s'applique pas aux personnes ci-après qui cherchent à entrer au Canada à l'un des endroits visés aux alinéas 159.4(1)a), b) ou c) du *Règlement sur l'immigration et la protection des réfugiés* :

a) le citoyen des États-Unis;

b) l'apatride qui a sa résidence habituelle aux États-Unis;

c) la personne qui satisfait aux exigences suivantes :

(i) elle a moins de dix-huit ans et n'est pas accompagnée par son père, sa mère ou son tuteur légal au sens du *Règlement sur l'immigration et la protection des réfugiés*,

(ii) elle n'a ni époux ni conjoint de fait au sens de ce règlement,

(iii) elle n'a aux États-Unis ni père, ni mère, ni tuteur légal au sens de ce règlement.

Non-application — décret

6 Le présent décret ne s'applique pas :

a) à la personne qui est inscrite au registre des Indiens en vertu de la *Loi sur les Indiens*;

b) à la personne qui, tel qu'il est établi par l'administrateur en chef nommé en application du paragraphe 6(1) de la *Loi sur l'Agence de la santé publique du Canada*, ne présente pas de danger grave pour la santé publique;

c) à la personne protégée au sens du paragraphe 95(2) de la *Loi sur l'immigration et la protection des réfugiés*;

d) à la personne qui, à bord d'un véhicule, se rend directement d'un lieu à l'extérieur du Canada à un autre lieu à l'extérieur du Canada en passant par les eaux canadiennes, y compris les eaux internes, ou dans l'espace aérien du Canada et qui quitte ensuite le Canada à bord de ce véhicule, tant qu'elle est demeurée à bord du véhicule alors qu'il se trouvait au Canada et, s'il s'agit d'un véhicule autre qu'un aéronef, la personne n'a pas mis pied au Canada et le véhicule n'est pas entré en contact avec un autre véhicule, ne s'est pas amarré ou ancré pendant qu'il se trouvait dans les eaux canadiennes, y compris les eaux intérieures, à l'exception d'un ancrage effectué conformément au droit de passage inoffensif en vertu du droit international ou, s'il s'agit d'un aéronef, le véhicule n'a pas atterri alors qu'il se trouvait au Canada.

Pouvoirs et obligations

7 Il est entendu que le présent décret ne porte pas atteinte aux pouvoirs et aux obligations prévus par la *Loi sur la mise en quarantaine*.

Abrogation du C.P. 2020-469

8 Le *Décret visant la réduction du risque d'exposition à la COVID-19 au Canada (interdiction d'entrée au Canada en provenance des États-Unis)* est abrogé.

Durée d'application

9 Le présent décret s'applique pendant la période commençant à 23 h 59 min 59 s, heure avancée de l'Est, le jour de sa prise et se terminant à 23 h 59 min 59 s, heure avancée de l'Est, le 21 août 2020.

C.P. 2020-469 du 19 juin 2020

Bitsene, Jonathan

From: Deschamps, Rachel
Sent: Friday, May 1, 2020 9:41 AM
To: Laflamme, Edith
Cc: CBSA.O VPO SP / ASFC.O BVP DGPS
Subject: FOR VP INFO: Direct Backs and Assurances BN - Signed by Minister
Attachments: PS-SP-#3557945-v1-BLR-002183_Signed_by_Minister_April_16th.PDF

Good morning,

For Kathy's info, please find attached the Minister-approved briefing note on Direct Backs and Assurances (CCM 20-01059).

Thank you,

Rachel Deschamps
Cell:
A/Strategic Advisor / Conseillère stratégique p.i.
Strategic Policy Branch / Direction générale de la politique stratégique

Canada Border Services Agency | Agence des services frontaliers du Canada

PROTECTED B

For action

ACCEPTING UNITED STATES ASSURANCES ON DIRECT BACKS AND EXTENDING THE BORDER MEASURES ON NON-ESSENTIAL TRAVEL

For the Minister

PURPOSE

The purpose of this note is to obtain your approval to extend the travel restriction prohibition as per the request from United States (US) Customs and Border Protection (CBP) for non-essential travel and confirm that Canada accepts the US proposal on assurances, to apply to the remaining period of Order in Council (OIC) 9 until April 21, 2020, and agree to continue to have these assurances apply for the new proposed OIC, for the new 30-day period.

BACKGROUND

The most recent OIC prohibiting entry to Canada from the US, OIC 0185, came into force on March 26, 2020. This OIC prohibits foreign nationals from entering Canada from the US if they are seeking to enter for an optional or discretionary purpose or if they are exhibiting symptoms associated with coronavirus disease 2019 (COVID-19). Subject to limited exceptions, OIC 0185 includes a prohibition of entry for foreign nationals who seek to enter Canada at any location (i.e. at a port of entry [POE] or in between POEs) to make a claim for refugee protection. While the order is in effect, the Government of Canada is directing refugee claimants arriving from the US back to that country until the prohibition on entry expires or is repealed.

CONSIDERATIONS

While the COVID-19-related measures being applied by the Government, including the border measures, are having a positive impact in addressing the curve for Canada, it is only in the past few days that Canada is beginning to see a bend in the curve.

While Canada has seen a reduction in essential traffic, including



on the commercial side, essential workers and trade are continuing to enter largely unimpeded by the border measures. Applying these border measures for a further 30 days would continue to ensure that public health and economic objectives are supported.

PROTECTED B

NEXT STEPS

The CBSA recommends that:

- Canada confirm today to the US that the travel prohibition between Canada and the US be extended for an additional 30 days;

Should you approve the recommendations, I will undertake to transmit your decision to the US.

April 16, 2020

John Ossowski
President

Minister's response

I approve ☑
I do not approve ☐

AVR APR 17 2020

The Honourable Bill Blair, P.C., C.O.M., M.P.

Date

ATTACHMENT

1. **Proposed new text from Canada – April 15, 2020**

c.c.: Mr. Rob Stewart, Deputy Minister
Public Safety Canada

Ms. Marta Morgan, Deputy Minister
Global Affairs Canada

Ms. Tina Namiesniowski, President
Public Health Agency of Canada

Mr. Vincent Rigby, National Security and Intelligence Advisor
Privy Council Office

PROTECTED B

Ms. Brenda Lucki, Commissioner
Royal Canadian Mounted Police

Bitsene, Jonathan

From: Lutfallah, Jennifer
Sent: Thursday, April 16, 2020 11:16 AM
To: Kathy Thompson (Kathy.Thompson@cbsa-asfc.gc.ca)
Cc: Edith Laflamme (Edith.Laflamme@cbsa-asfc.gc.ca); Deschamps, Rachel
Subject: URGENT REVISED MEMO TO THE MINISTER
Attachments: USrequstFINAL.docx; Attachment 1.docx

Kathy
Revised memo as per discussion

Rachel
Log into CCM asap

Jennifer Lutfallah
Director General | Directrice-générale
Canada Border Services Agency | Agence des services frontaliers du Canada
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Government of Canada | Gouvernement du Canada